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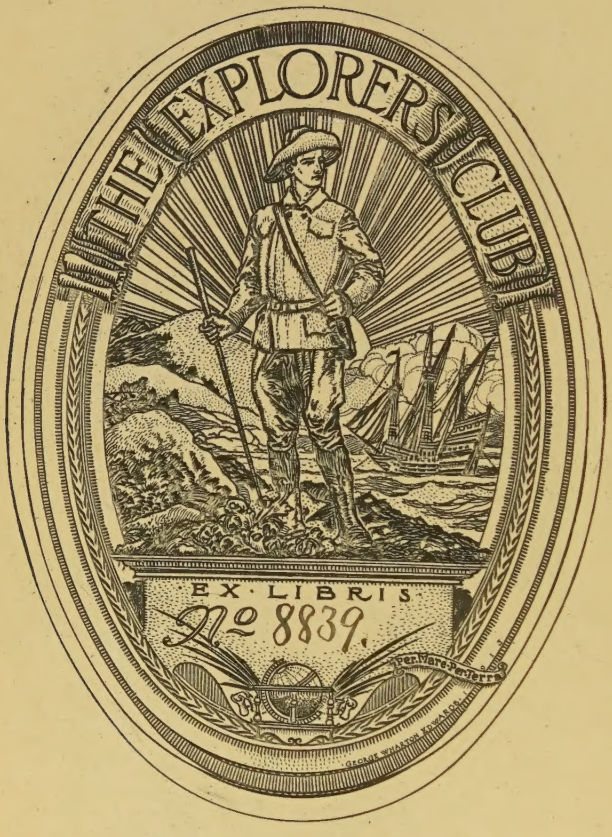

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The Mississippi Valley in British Politics

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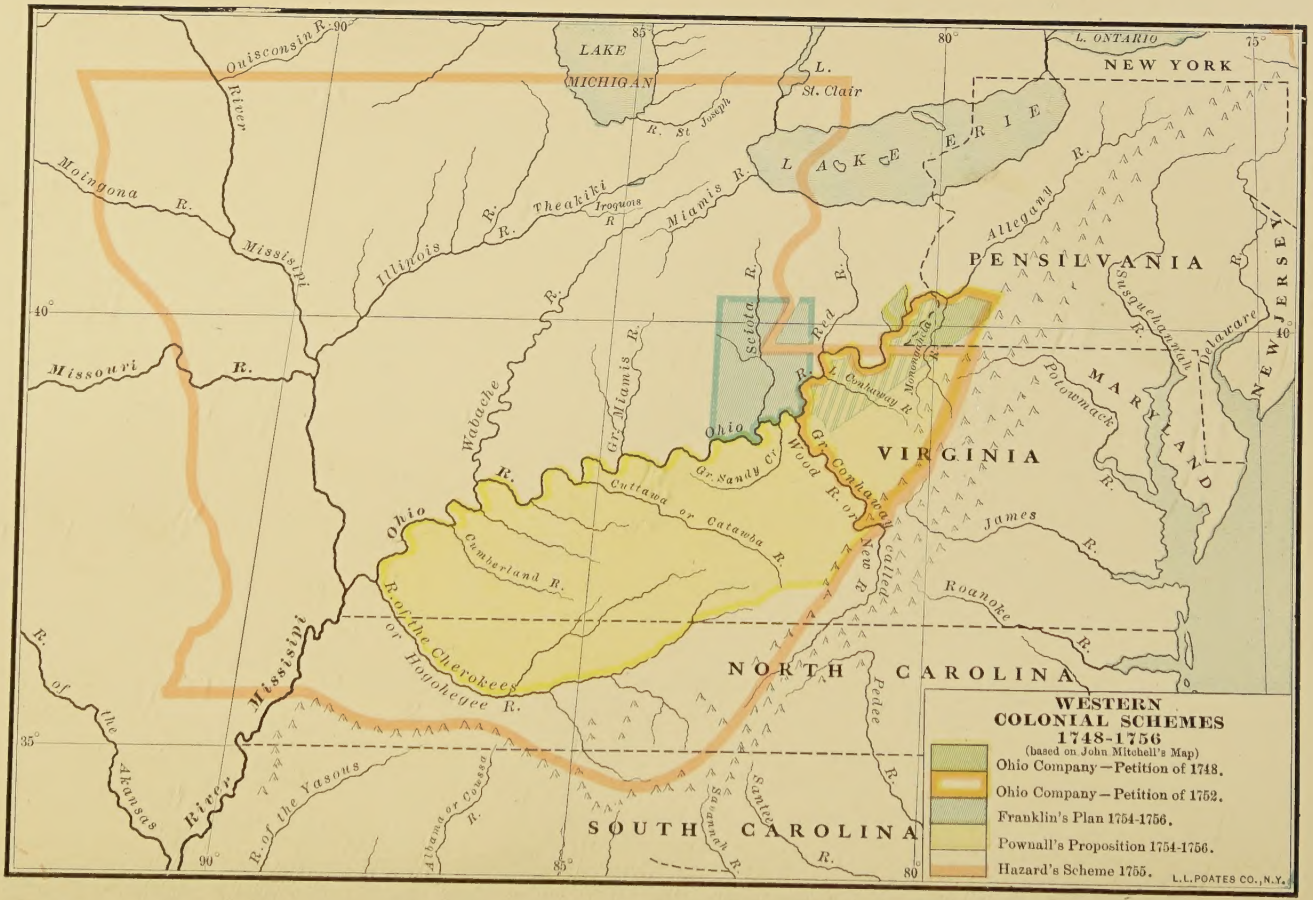
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WESTERN COLONIAL SCHEMES 1748-1756
(based on John Mitchell's Map)
Ohio Company—Petition of 1748.
Ohio Company—Petition of 1752.
Franklin's Plan 1754-1756.
Pownall's Proposition 1754-1756.
Hazard's Scheme 1755.
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The Mississippi Valley in British Politics

A STUDY OF THE TRADE, LAND SPECULATION, AND EXPERIMENTS IN IMPERIALISM CULMINATING IN THE AMERICAN REVOLUTION

BY

CLARENCE WALWORTH ALVORD

WITH MAPS

VOLUME I

THE ARTHUR H. CLARK COMPANY
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1917

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To
EDMUND JANES JAMES
this volume
is gratefully dedicated

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PREFACE

In my humorous moods – for such come even to the most "dry as dust" historians – I have a vision of some future critic chuckling over my rashness in writing a drama of the pre-revolutionary era with several well known Hamlets omitted. Within these pages the stereotyped narrative of events preceding the American Revolution is not to be found. To seek the material for a history of the period wholly outside that consecrated circle which encloses such important and portentous events as the Boston massacre and the famous tea-party must appear to the general reader to be in itself revolutionary. I confess that to me, whose early impressions of life were received in a small town of Massachusetts, the act sometimes appears one of mild bravado. Yet while I am writing the preface, where surely my imagination may be permitted to take a higher flight than when restrained by the somber chronicling of serious history, let me forget for a moment my critic and boldly assert that whenever the British ministers soberly and seriously discussed the American problem, the vital phase to them was not the disturbances of the "madding crowd" of Boston and New York but the development of that vast transmontane region that was acquired in 1763 by the Treaty of Paris.

Having thus hurled my defiance, let me present my plea for forbearance. My experience in research has been difficult and may be likened to the hardships suffered by the hardy pioneers who first crossed the Appa-

lachian Mountains and descended to the fertile valleys beyond. They were obliged to find their way through a seemingly limitless wilderness wherein they wandered aimlessly and blindly, their passage so blocked by mountains, rushing streams, and dense underbrush, that only after many attempts did they discover the shortest and most convenient path to the prairie lands of the West. For several years now I have been wandering—and frequently very aimlessly and blindly—in two wildernesses: one was covered by the dense underbrush of British political intrigue, where I found many a path leading only to a *cul-de-sac* and was so frequently misled that I have despaired at times of ever finding my way out of the darkness and gloom; the other wilderness, no less difficult of penetration, lay in western America and was formed by the actual occurrences—a new and little known country, through whose wooded hills and valleys no traveler has passed, though here and there a short blazed path has assisted my progress. It is not to be expected that I have always followed the best trace, or that I have never pointed out a closed trail for the true road, but it is my hope that the journal of my explorations may assist later discoverers and that in the end the true connection between British politics and the Mississippi Valley may be made known.

Although my point of observation lies on the western prairies, the work is not a history of the West. Rather my eyes have been concentrated on the British ministry in England in the hope of discovering the obscure development of a western policy within the kaleidoscopic changes of ministries and underneath the hot strife of factions, for it has seemed to me to be impossible to understand the British-American policy without a thorough comprehension of British politics during the

eighteenth century. Too frequently American historians have read back the conditions of the succeeding century in order to explain these politics, and having classified men with their measures as Whig and Tory have rested satisfied. A more careful analysis does not reveal any such division of men and measures, but does reveal a struggle for the flesh pots of Egypt between factions usually Whig in origin, one of them being led by the king who entered the lists in the hope of saving his prerogative. Of principles there is almost no sign.

Such was the condition in Great Britain when the treaty of peace closing the Seven Years' War was signed at Paris in 1763. Great Britain had won the West and Canada. What was to be done with them? That was the first and last question asked of ministries between the years of the treaty and the outbreak of the Revolutionary War. Every ministry realized that this was the most important of all the American problems, but it was hydra-headed. How could there be a reconciliation between the various interests clamoring for consideration? The Indians' rights must be protected; the claims of various colonies to the West must be considered; the influence of the great land companies of different colonies must not be neglected; there were the fur traders who opposed western colonization; and these latter were supported by British and American speculators in eastern lands who feared the effect of opening the West; and last of all there were the imperial interests to be conserved. To these difficulties lying in the very problem itself must be added the chaotic state of ministries composed of groups of factions each subjected to influences according to its personal interests in colonial affairs.

Successive administrations worked on this problem;

three distinct plans were developed and partially adopted. The decisions to tax the colonies by the Stamp Act and the Townshend Act were only subordinate parts of these broader policies; but the strife aroused in the colonies and Parliament by these acts of taxation frequently obscured the real issue, even in the eyes of the ministers. The passage of the Quebec Act in 1774 closed the era under consideration with the last definitive step taken towards the settlement of a western policy, and that was brought to naught by the Revolutionary War. The result of the eleven years was nil. These pages contain a history of the development of these plans, a development running parallel with the well known occurrences of the eastern settlements and important for the proper interpretation of their significance, since these plans for the West formed the warp and woof of the British imperial policy.

It must be evident to anyone familiar with the literature of American and British eighteenth century history that the double-headed problem that I have proposed to myself has meant the mastery of an immense mass of printed and unprinted material. A glance at the "Bibliography" at the end of this work will prove that the attempt at such mastery has conscientiously been made; but in spite of the fact that I have worked in the following libraries, the University of Illinois, the Parliamentary of Ottawa, the Canadian Archives, the Boston Athenæum, and Boston Public, besides freely borrowing books from the Harvard Library, the Library of Congress, and the Carter-Brown Library, there are the names of many books and pamphlets in my notes which it has been impossible for me to examine. The manuscript material has been collected from many sources; the most valuable for this present study has come from

the *Lansdowne Manuscripts*, for the use of which I am indebted to the courtesy of the Most Honorable the Marquess of Lansdowne, and from the *Dartmouth Manuscripts*, copies of which were made for me by the kind permission of the Right Honorable the Earl of Dartmouth. For similar favors I am indebted to the officials of the Canadian Archives, the Public Record Office of London, the New York State Library, the Historical Society of Pennsylvania, the Library of Congress, and other institutions.

In quoting from original and contemporary documents, both printed and manuscript, the publishers have followed, as is their custom, the sensible suggestions adopted "to secure greater uniformity of treatment in the reprinting of such documents," by the American Historical Association. Palpable printers' errors and obvious slips of the pen have been corrected. Changes in punctuation have been made where the original puctuation was erroneous or confused. The overuse of capitals in the original manuscript has been made to conform to modern usage. In every other respect the reprints absolutely follow the originals.

There have been many who have given me suggestions and help in the preparation of this work and to whom I wish to express my gratitude. I am under especial obligations to Hubert Hall, Esq., formerly of the Colonial Office, London, for his untiring search for material. The Right Honorable Lord Edmund Fitzmaurice, Doctor J. Franklin Jameson, and Professor Frederick J. Turner have made valuable suggestions and given other assistance. Dean David Kinley of the Graduate School of the University of Illinois has been unsparing in his efforts to find funds for the copying of manuscripts. My colleagues, Professor Evarts B.

Greene and Doctor Theodore C. Pease have read the manuscript and have offered many well considered criticisms. I wish also to express appreciation of valued help given by my secretarial assistants, Mary G. Doherty, Leila O. White, and Ruth E. Hodsdon; by Susan M. Reed in the preparation of the maps; by Lois Reed upon the bibliography; and by my wife, Idress Head Alvord, for patient help and suggestive criticisms during the preparation of the work.

CLARENCE WALWORTH ALVORD.

Urbana, Illinois, February 15, 1916.

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I. GOVERNMENT BY FACTIONS

The versatility of courts has been the popular theme of writers during several of the later centuries. It would have been more to the honour of history had the causes of such mutability been explained. – JOHN ALMON.

William Pitt leaned impressively forward and asked the representatives of Great Britain anxiously waiting on his every word: "Some are for keeping Canada; some Guadaloupe; who will tell me which I shall be hanged for not keeping?"[1] The costly war with France was under discussion; and the speaker, from his intimate knowledge of the House of Commons, understood that he was hurling into the midst of the wrangling factions an issue certain to provoke dissensions. In front of him sat conservatives and progressives, men representing sugar or fur trading merchants, promoters of land companies, imperialists and anti-imperialists, whose personal beliefs and private interests were touched to the quick by the issue raised over the retention of a tropical or northern territory. To understand how this august body of so-called representatives answered Pitt's question and all succeeding questions growing out of their answer is to understand the history of the British colonial empire in the last half of the eighteenth century; but that history can never be interpreted by concentrating the attention exclusively on the colonies. The acts of ministries and Parliament were potent factors in the evolution of America, and the why and

[1] Walpole, *Memoirs of George III.*, vol. i, 26.

wherefore of imperial action can only be discovered by tracing the twistings and turnings of politics in that most complicated period which ended in the independence of the British oversea dependencies; and it is also certain that those baffling kaleidoscopic changes of ministries had a meaning in the colonial backwoods, even though the discovery of that connection prove to be difficult.

Pitt was at the head of the ministry when he shouted his Guadaloupe-Canada dilemma at his colleagues. Three short years were to pass before the option ceased to vex politicians; but in that period two radical changes had taken place in the personnel of the cabinet, and the men who made the choice between the southern and the northern territory, though opponents of Pitt at the time, reached a decision similar to his own. The explanation of this fact is to be sought in the development of factions, in an understanding of their mutual relations, and in the discovery of the attitude of each to the colonial problem – or more generally speaking in a comprehension of British political history.[2]

Throughout the eighteenth century the tradition of the right of the Whigs to rule was the all-pervading force in British politics. It originated in the Revolution of 1688 and had a second birth in the succession of the Hanoverian dynasty to the throne. So successfully did certain noble Whig families use their opportunity and identify their own interests with those of the new

[2] For the substance of this chapter, I wish to acknowledge my indebtedness to the brilliant biography of William Pitt by Doctor Albert von Ruville. Although my own researches were leading me to similar conclusions, before reading this work, the systematic and exhaustive analysis of conditions by Doctor von Ruville has given me the ground on which to base my own study. The same author's *William Pitt und Graf Bute* was even more helpful on account of the full references and citations from manuscripts to which I had no access.

dynasty and so exclusively did they secure for themselves the offices of power that Whiggism became a necessary attribute of aspirants for political honors. The tradition became finally so firmly rooted that even a George III. did not dare to defy it; and the eighteenth century came almost to a close before there was selected a cabinet in which a majority of the members did not proudly count themselves within the ranks of the ruling party. Under such conditions the attempt to interpret British political history through an assumed rivalry of Whigs and Tories – so usual among the older historians – only obscures the truth. Such rivalry did not exist. Only after the French Revolution had spread abroad its principles of the rights of man did the people of Great Britain shake off their traditional affiliations and range themselves definitely on the progressive or the conservative side of home and imperial issues. In those years of storm and stress were evolved the modern parties; then the names of Whig and Tory assumed their present meanings. Even during these later days, however, the elderly king and the grey-haired politicians, companions and opponents of younger years, still played the political game as they had learned it in their youth and continued to speak the language of former times. So little did George III. appreciate the great change that, almost on his death-bed, he was still calling himself an Old Whig.[3]

These old politicians were in many ways more correct in their use of words than are those who attempt to read into the political history of the reign of George III. more modern but inapplicable terms. The party system of government is to-day so common a phenom-

[3] Malmesbury, *Diaries*, vol. iv, 44, quoted in Lewis, *Administrations of Great Britain*, 96, *footnote* 2.

enon that its development in England during the last part of the seventeenth and the first part of the eighteenth centuries has given to British politics of the age a very modern appearance and has superficially justified the employment of modern names to describe the political struggles. This early development was, however, only partial and the growth was arrested for about a generation because the British people did not regard it as a natural and inevitable means of conducting public affairs. Party rule showed only its sinister side to a large number, probably to a majority, of Englishmen and to all Scotchmen. To them its most conspicuous result appeared to be the unsavory manipulation of the borough representation by such skillful politicians as Robert Walpole and the Pelhams for the purpose of exercising complete political power and of subordinating the king to the cabinet. The opponents of this system were desirous of substituting some other method of conducting the government that did not totally submerge one of the concomitant institutions of the constitution and did not place such irresponsible power in the hands of a small plutocracy. Undoubtedly the leaders of the opposition were inspired by the purely selfish wish to occupy the places of authority and to enjoy the emoluments which were held so exclusively by the Whig oligarchy; but nevertheless the widespread dissatisfaction with political conditions gave to their leadership popular authority and caused an opposing theory of government propounded by them to find a ready acceptance.

The dissatisfaction with party government as exemplified by the Whigs gave birth to this new theory of politics and it was formulated about the middle of the eighteenth century into a philosophical system by Lord

Bolingbroke.[4] The principle of the supreme legislative power of the representatives in Parliament, upon which the predominant party had based its tenure of office, had become so well accepted among the people that it must remain a part of any new form of political thought. But the principle of the Tories upon which they had stood until completely crushed by their opponents, namely the right of the king to the leadership under the constitution, seemed to the many as of equally binding force. It was Bolingbroke's purpose in his *Idea of a Patriot King* to reconcile these two seemingly antagonistic principles. He did this by denying that an antagonism existed. The purpose of the king and representatives, he argued, should be one and the same, the search for the highest good of the nation; and if both had the same aim each would find in the other the necessary complement. Under such a system parties would disappear; the names of Tory and Whig would lose their significance, since differences of opinion would cease to exist. The country as represented in Parliament would find itself in accord with the "Patriot King."

This theory is the opposite to that underlying the party system of government that has developed more recently out of the eighteenth century conditions. The evils of this latter method appeared in an exaggerated form to men with ideas akin to Bolingbroke's; a party is, and must always remain, but a part of the people and naturally views the weal of the state as identical with its own; and so, as Bolingbroke wrote: "The interest of the State becomes . . . a remote consideration, is never pursued for its own sake, and is often

[4] Consult his "Idea of a Patriot King," and "Dissertation upon Parties," in his *Works*, vol. ii, 372, 375. See also Von Ruville, *William Pitt*, vol. i, 103-106; vol. iii, 2-10.

sacrificed to the other."[5] Furthermore a party government which should force itself upon the king is the most arbitrary possible, because neither Parliament nor the king can exercise any control over it. On the other hand ministers selected for their worth by the crown are amenable to the discipline of the people's representatives.[6] In discussing the situation under the Stuarts, Bolingbroke pointed out that when the Whigs changed their system of government from what he called a "broad bottom" to a narrow, from the nation to a party, they forced the court itself to become a faction and to attempt government by a small fraction of the nation.[7] In this way the idea of a "Patriot King" was obscured and it became impossible for the monarch to place himself above all parties and hold all alike in check.

The Bolingbroke theory was first the platform of the older Leicester House group that was formed around the person of Frederick, Prince of Wales. This coalition was composed of many incompatible elements from the Whigs and the Tories united by their opposition to the Walpole régime. Among them a most important factor was that band of "Young Patriots" who looked to Lord Cobham as leader and counted in their ranks William Pitt, George Lyttelton, and the Grenvilles—men who were to play important rôles in the early years of the reign of George III. Closely associated with these were two other prominent men of the later days, William Murray [Lord Mansfield] and Robert Henley [Lord Northington].[8] Bolingbroke's platform for

[5] Bolingbroke, "Patriot King," in *Works*, vol. ii, 402.

[6] See "Letter from a Gentleman in Town," in *Gentleman's Magazine*, vol. xxxiii, 190.

[7] Bolingbroke, "Dissertation upon Parties," in *Works*, vol. ii, 50.

[8] Von Ruville, *William Pitt*, vol. i, 109.

the "Patriots" was taken very seriously; and, although later events were to separate the enthusiasts and to compel them to fight under many banners, they never completely lost the glamour of their youthful philosophy; and the ideas which were preached by the magnetic Bolingbroke became through his disciples a very potent force in politics.

The fundamental idea which held the "Patriots" together seemed about to bear fruit, when the opposition succeeded in overthrowing Robert Walpole; but in the end the strength and the craft of the allied great families proved to be too great. From that time, however, the number of men opposed to the continuance of the oligarchy in such unlimited power increased. To the forces of the opposition Whigs there were joined in ever increasing numbers the Tories who looked on Pitt in particular as a leader. The death of Pelham in 1754 and the failure of the Cumberland and Newcastle factions to master the crisis of the Seven Years' War raised that popular idol to the leadership in the ministry. Pitt's great day had come; but from his advent must be dated the end, for a generation at least, of party régime in England.[9]

[9] The importance of this fact has not always been noticed by historians who have been more inclined to see in the action of George III. and the Earl of Bute the cause of the break-up of the Whig party. The condition existing in 1760 is sufficient proof of the statement in the text, but the following assertions of keen contemporary observers bring supplementary proofs. William Pitt, in Parliament, May 12, 1762, said: "He was so far from meditating opposition, that he should regard the man who would revive parties as an enemy to his country. Himself had contributed to annihilate party, but it had not been to pave the way for those who only intended to substitute one party for another."—Walpole, *Memoirs of George III.*, vol. i, 130. Horace Walpole wrote of the beginning of the reign of George III.: "The moment of his accession was fortunate beyond example. The extinction of parties had not waited for, but preceded, the dawn of his reign."—*Idem*, 4. Walpole also quotes Bamber Gascoyne as stating in Parliament, "By destroying parties we had created factions."—*Idem*, 91.

The strife of factions had replaced the supremacy of the Whig oligarchy – the Venetian party as Disraeli called it. A memory of their former glory still lingered for many years in the tradition of the Whigs' right to govern; but the Whigs themselves, after annihilating the Tories by systematically denouncing them as Jacobites, had themselves been shattered on the rocks of political spoils. True parties no longer existed; factions ruled.[10] A political condition which Bolingbroke considered the worst possible had been brought upon Great Britain by the greed of the Whig plutocracy, "for faction is to party what the superlative is to the positive; party is a political evil, and faction is the worst of all parties."[11]

> The subsequent contests were rather a struggle for power than the settled animosity of two parties, though the body of Opposition still called itself Whig, an appellation rather dropped than disclaimed by the Court; and though the real Tories still adhered to their old distinctions, while they secretly favoured, sometimes opposed, the Court, and fluctuated according as they esteemed particular chiefs not of their connection, or had the more agreeable opportunity of distressing those who supported the cause of freedom.[12]

[10] See an excellent account of the disappearance of this old distinction in *Annual Register*, vol. v, 47. In 1770 the historian Gibbon wrote "of those foolish, obsolete, odious words, Whig and Tory," and Lord Shelburne about the same time placed it on record in his papers that in his opinion the Old Whig and Tory parties were extinguished. See Kent, *English Radicals*, 9, 10.

[11] Bolingbroke, "Patriot King," in *Works*, vol. ii, 401.

[12] Walpole chose to date this crisis in 1765, but the description is no less true five or even ten years earlier. Walpole, *Memoirs of George III.*, vol. ii, 67. No one should use Walpole's *Memoirs of George III.* as a source of information without a careful study of the analysis of that work by Carl Becker in the *American Historical Review*, vol. xvi, 255 ff. The *Memoirs* were written by Walpole in two different periods, 1768-1769 and 1771-1772, and he revised the work, making many additions, in 1775 and again in 1784. Between the writing of the first draft and the latest revision Walpole's political opinions were radically altered, and Mr. Becker proves conclusively by a careful comparison of Walpole's letters with his *Memoirs* "that the additions,

No noble principles of reform separated these bands of politicians. Their ideals seldom rose above a greed for office thinly veiled by the profession of public service. A contemporary with a long experience in government wrote at the end of the period under review:

> I thought it right to investigate the cause of the disease; and therefore have diligently enquired whether our present dissentions have arisen, as formerly, from any differences of opinion, or any contradictory articles in our political creeds; but on the strictest examination, I can find no such differences to exist: parties I see many, but cannot discern one principle amongst them; they are neither Whigs nor Tories, Monarchy-men nor Republicans, High-church nor Low-church, Hanoverians nor Jacobites: they have all acted alternatively on all these principles as they have served a present occasion but have adhered to none of them, nor even pretended to profess them: they have all been ready to support government, whenever they have enjoyed the administration of it; and almost all as ready to subvert it, whenever they were excluded.[13]

When George III. ascended the throne the conditions seemed favorable for an experiment in the theory of government which had been so joyfully proclaimed by the adherents of his father; but when tried in the realm of practical politics, Bolingbroke's idealism was found to be unworkable. Allegiance to faction was too firmly established and all that could be accomplished was to unite several of the groups for the purpose of conducting the business of state. Such a ministry was

though not considerable in amount perhaps, modified in an important way the interpretation of the reign of George III." [p. 259]. In the earlier draft Walpole wrote the history of the struggling factions and knew nothing of any danger from the increase of the king's prerogative or from the Tory politicians. All passages containing these latter ideas are generally of the latest revision. Using Mr. Becker's principles of criticism, it is possible to divide the work into its separate parts more completely than he was able to do in the compass of his article.

[13] Soame Jenyns, "A Scheme for the Coalition of Parties," written in 1782, in *Works*, vol. ii, 251.

called "broad bottom" and was supposed to differ from the narrower basis of the former Whig party system; but the "broad bottom" government in no way fulfilled the conditions of Bolingbroke's ideal. He had dreamed of an administration representing the people and working in harmony with the king for the supposedly discoverable public good; this was a league of more or less hostile factions, always suspicious of each other, held together by the love of office, and generally working for their selfish interests.

To enter the arena where fought these hungry followers of factions in search of the causes of events in the heart of western America may appear a futile task. Yet above the snarls of this greedy crowd of place hunters and sinecurists can be heard the principles which were formulated for the guidance of the men who governed the wilderness. These principles embodied a political philosophy of colonization, varying in each faction, and the discovery of the beliefs of the different groups is the only means of knowing what was the predominant opinion in each composite cabinet.

In the eyes of historians generally the most important and dignified group of politicians has been that of the Old Whigs, whose very name connected them with the events of the "Glorious Revolution of 1688" and seemed to point to them as the fathers of the progressive Whigs of the nineteenth century. In traditional rights and in family connections there is no doubt about their superiority to their rivals; and after emerging from the struggle over Robert Walpole, the Old Whigs had succeeded also in retaining that popular support that attaches itself so unquestionably to affiliations of long standing. The glamour that enfolds them has been intensified by the accident that their official spokesman,

Edmund Burke, proved himself to be one of the ablest of the eighteenth century men of letters; and, as a result, the pamphlets he penned in defense of his faction have been widely read, and the Old Whigs' interpretation of events and their claim of representing the policies of the former Whig party of revolutionary days have come to be popularly accepted.[14]

Although it was generally conceded that this particular group was the strongest, yet its councils were always divided, for, as a contemporary wrote, it "may more aptly be compared to an alliance of different clans, fighting in the same cause, professing the same principles, but influenced and guided by their different chieftains."[15] In the disintegration of the party system, the Old Whigs had suffered most severely. Some members, who refused absolutely to act longer with their former associates, set up new factions, others joined themselves to rival leaders, but the greatest defection was to the court. It was from the Old Whigs that there came the loudest complaints of the evils of their time, when households were politically separated and traditional associations were broken up; and they were only too ready to lay the blame on their opponents rather than on the past conditions for which they themselves had been responsible.

[14] Another classical writer, Horace Walpole, although not a member of the faction, became very friendly to it in later life, so that many of his comments seem to support Burke's statements.

[15] William Knox wrote of them: "For connected by many ties or relationship, they found themselves the most numerous body in Parliament, except the dependents of the Crown."—*Extra Official State Papers*, vol. i, 3. Their lack of unity was always conspicuous in the negotiations for the formation of a cabinet. The Yorkes particularly were very independent, as was also the Duke of Richmond. The quotation in the text is from Waldegrave, *Memoirs*, 20. Consult also Harris, *Life of Hardwicke*, vol. iii, 325; Williams, "The Eclipse of the Yorkes," in Royal Historical Society, *Transactions*, third ser., vol. ii, 129 ff.; Yorke, *Life of Hardwicke, passim.*

Under the long leadership of the Duke of Newcastle and Lord Hardwicke, the Old Whigs had not revealed any strong fealty to noble principles. Their battle slogan was "back to the good old days" when the government was controlled by the family connections of the revolutionary nobility and the royal power was a cipher.[16] During the opening years of the reign of George III. the leadership passed into the hands of the Marquis of Rockingham, who exhibited little talent for statesmanship and even less ability to hold his followers together; but his good nature did yield somewhat, in later years, to the idealism of Edmund Burke, and this group of noble politicians came to stand for reform in a mild way.[17] In general, however, an opposition writer was not far wrong when he wrote of them:

> You seem not to be contented to live upon an equality with your fellow-subjects. You must either have all power or no power, all posts or no posts. In a word, nothing will satisfy you but making the one half of the people a set of specious slaves, and Royalty itself a splendid phantom.[18]

During the period under consideration this Whig branch only once came into power,[19] and the leaders then attempted to establish firmly their system of government.[20] Their failure to accomplish this induced

[16] Fitzmaurice, *Life of Shelburne*, vol. i, 402; Von Ruville, *William Pitt, passim.*

[17] The members of the faction, most important for the understanding of colonial politics, were: the Duke of Newcastle, Lord Hardwicke, the Duke of Devonshire (after 1766), the Duke of Portland, the Marquis of Rockingham, the Duke of Richmond (each of these was leader of a numerous following), the Earl of Dartmouth (until 1772), Lord Mansfield (for the early period), all the Yorkes, all the Cavendishes (after 1766), General Conway, William Dowdeswell (a recruit from the Tories [Walpole, *Memoirs of George III.*, vol. ii, 137, *footnote* 1]), Edmund Burke, and Charles Townshend.

[18] *Gentleman's Magazine*, vol. xxxiii, 61; see also Knox, *Extra Official State Papers*, vol. i, 2 ff.

[19] In 1765-1766. See pages 232 ff.

[20] For a discussion of Rockingham's attitude towards the royal power consult Fitzmaurice, *Life of Shelburne*, vol. ii, 87.

them thereafter to adopt the prevailing talk of a "broad bottom" ministry and to attempt to unite with other factions.[21] Yet Old Whigs were and remained the most like a real party with political principles of any of the contemporary factions;[22] and Burke, their chief writer, glorying in the fact, wrote: "Party divisions, whether on the whole operating for good or evil, are things inseparable from free government."[23]

Those who revolted from the Whig party rule had been held together until 1742 only by their mutual opposition to Robert Walpole, but as soon as that minister had fallen, there began a scramble for places, in which self-interest became the chief motive.[24] This resulted not only in a further dismemberment of the oligarchical ring but also in the breaking up of the opposition into constituent parts, thus by the multiplication of factions intensifying the seeming disintegration of the former predominant party. The principal Whig offshoots in 1760, besides that of the Old Whigs, were the followers of the Duke of Cumberland, the Bedfordites, the George Grenville faction, and the adherents of William

[21] In 1763 Lord Hardwicke talked of a broad bottom ministry. See Harris, *Life of Hardwicke*, vol. iii, 351, 369. In 1767 and 1782 the "broad bottom" was very popular with the Old Whigs. See Grafton, *Autobiography*, 146 ff.; Almon, *Anecdotes of Pitt*, vol. ii, 118 ff.; Albemarle, *Rockingham Memoirs*, vol. ii, 451 ff.; Fitzmaurice, *Life of Shelburne*, vol. ii, 87.

[22] In 1767 one of the causes of their failure to unite with the Bedfords was their refusal to adopt certain harsh principles towards the American colonies. In 1782 the Old Whigs refused to take office before the king had pledged himself to promote certain definite principles. See Grafton, *Autobiography*, 143; Albemarle, *Rockingham Memoirs*, vol. ii, 451 ff.

[23] Burke, "Observations on a Late Publication," in *Works*, vol. i, 271. For a similar statement see "Substance of the Letters to the Duke of Devonshire published in January, 1764," in *A new and impartial Collection of interesting Letters*, vol. i, 321 ff.

[24] In this account of the factions, the contemporary correspondence has been carefully examined. It is impossible to give specific references to all the conclusions; but the best contemporary discussions of the subject are as follows: by Fox in Fitzmaurice, *Life of Shelburne*, vol. i, 142 ff.; by Mitchell in Pitt, *Correspondence*, vol. ii, 170, *footnote*.

Pitt. The downfall of the Whig oligarchy had caused such deep rooted suspicion of treachery among these political groups that the hostility existing between some of them was greater than that between themselves and the court faction which was not of such pure Whig descent. For instance the enmity between William Pitt and his brother-in-law, George Grenville, for years seemed irreconcilable, and the Bedfordites found it more difficult to unite with the Rockinghams than with the followers of the king.

The former coterie of Robert Walpole and of the adherents of George II. was led by the Duke of Cumberland. The most brilliant member was unquestionably Henry Fox, who, though generally distrusted, was the representative of the duke and had connections with many powerful families whom he was able to influence.[25] By his frequent changes of politics between 1756 and 1762 he practically ruined the Cumberland following. In general the relation of this group to the Old Whigs was friendly and its leader was frequently called upon to act as the spokesman for that oligarchy. The faction, however, lacked coherence and solidarity, and its members were easily persuaded to transfer their allegiance to the new court; and after the death of their leader in 1765, it ceased to exist.

Numerically the strongest of these offshoots of the Revolution Whigs was the Bedfordites.[26] The Duke

[25] Fitzmaurice, *Life of Shelburne*, vol. i, 45 ff. Consult also Riker, *Henry Fox, First Lord Holland*. The Duke of Devonshire and his family was a most important member of this faction, but later joined the Old Whigs. A lieutenant of Fox was Welbore Ellis, who appeared as a member of those ministries in which Fox was influential. See Grenville, *Papers*, vol. ii, 68, *footnote* 2.

[26] The principal followers of the Duke of Bedford were: Earl Gower, Earl of Sandwich, Viscount Weymouth, and Richard Rigby. Lord Sandwich estimated the strength of the faction in the House of Commons, in 1766, as

of Bedford had begun his parliamentary career by joining the "Patriots" in their opposition to Walpole. In the break-up of parties after the fall of that minister he attached himself to the Duke of Cumberland and was closely associated with the brilliant Henry Fox to whose political principles he generally subscribed.[27] Earlier than Fox, he joined the Earl of Bute and gave his assistance in making the treaty of peace; but he was always seeking to lead an independent faction, and this he succeeded in doing during the early years of George III.[28] The Bedfords were noted for their conservatism, which originated no doubt in their close alliance with many Tories.[29] Although the Duke of Bedford, as seen in his correspondence, was a man of ideals, the chief purpose of his followers – popularly called the "Bloomsbury Gang" – was the attainment of office, so that they never stood out very firmly for principles when asked to unite in a coalition to form a ministry.

The "Grenville connections" formed rather a small group which had broken away from their former allegiance at the time of the resignation of Pitt in 1761, since they preferred office to following that erratic leader. The head of the faction was the brother-in-law of William Pitt, George Grenville, a man of some ability, pedantic in character, well trained in parliamentary tactics and in finance, who proved himself a useful man in several administrations.[30]

one hundred thirty votes. This estimate was high, even if it included the followers of Grenville. See Walpole, *Memoirs of George III.*, vol. ii, 204.

[27] George Grenville regarded Bedford and Fox [Lord Holland] as forming a distinct faction. See Grenville, *Papers*, vol. ii, 213.

[28] See George Grenville's statement in *idem*, 213.

[29] The Duke of Bedford married the sister of Earl Gower and that Tory family formed a part of the faction throughout these years.

[30] See Burke's estimate of him in "Speech on American Taxation," in *Works*, vol. ii; Fox's in Fitzmaurice, *Life of Shelburne*, vol. i, 144, 148; Wal-

The most notable faction of all was marshalled under the banner of William Pitt, notable not only on account of the success of its leader's ministry during the Seven Years' War, but also on account of its popularity and of the ability of its members. Although small in numbers, it counted among its adherents some of the ablest minds in England. Besides its leader, there were the Earl of Shelburne (after 1763), the Duke of Grafton, Lord Camden, Dunning, and Barré.[31] The language of both rivals and followers implies that Pitt was not so much the leader as the master of his associates who looked up to him with an almost religious fervor. They all prided themselves on their constancy to the principles of the Whigs of the "Revolution," yet their leader was the most consistent exponent of the Bolingbroke system among his contemporaries.[32] His broad bottom ministry of 1766 was his ideal, and, like the king, he desired the extinction of partisanship. It was their common belief that explains the willingness of George III. to turn to Pitt at every ministerial crisis in the hope of enlisting him in the struggle of the monarchy against factions. At a time when the Rockinghams were talking loudly of the revolutionary Whig families, the Bedfords of their adherents, and the courtiers of the "King's Friends," Pitt's followers took pride in proclaiming their slogan of "Measures not

pole's in *Memoirs of George III.*, vol. i, 27; his friend William Knox's in *Extra Official State Papers*, vol. ii, 34 ff. The chief members of the faction were Earl of Egremont, Lord Lyttelton, Sir George Sackville, Wedderburn, and Jenkinson (later follower of Earl of Bute).

[31] In 1766 a few months before he again became minister, Pitt said that he had only five followers in the House of Lords and four in the Commons. See Walpole, *Memoirs of George III.*, vol. ii, 216.

[32] It is to be supposed that all Pitt's followers during these years shared with him in this belief, but it should be noted that Lord Shelburne in his old age, long after these events, considered Bolingbroke's writings very superficial. See Fitzmaurice, *Life of Shelburne*, vol. i, 25.

Men."[33] To their party motto they remained faithful and throughout these years they stood out more constantly for principles than any of their rivals.

The political condition of England in the middle of the eighteenth century caused the development of a faction around the king. This was an inevitable consequence as soon as a scion of the Hanoverian dynasty should uproot his German traditions and become firmly attached to the British soil and customs. To remain a parasite drawing support from the Whig oligarchy was an insufferable condition for a monarch trained in English thought. To win independence the king must enter politics.[34] His only method of fighting factions was to enter the political arena at the head of a court following. The origin of this new group is to be found in that Leicester House faction which formed the nucleus of the opposition to Robert Walpole. After the death of Frederick, Prince of Wales, a similar band of politicians grew up around his son, later George III., and was the deciding power in placing Pitt in his historic ministry. When its leader ascended the throne, its increase in strength was rapid.

The heart of the court faction was a clique, numbering about thirty, which was called the "King's Friends," a name that came into common use about the year 1765.[35] The members were men of not very good polit-

[33] See particularly Pitt's letter to Newcastle, October, 1764, in Pitt, *Correspondence*, vol. ii, 296; also the same to Thomas Walpole, November 5, 1765, *idem*, 327; and Shelburne in Fitzmaurice, *Life of Shelburne*, vol. i, 232; and more particularly Shelburne's remarks in eulogy of Chatham after the latter's death, *Parliamentary History*, vol. xix, 1249.

[34] The advisability of the king thus entering politics with his own faction was a disputed point among contemporaries. The Old Whigs particularly disapproved of it. See discussion between Edmund Burke and Lord Temple, Burke, *Correspondence*, vol. i, 209.

[35] In Almon, *Anecdotes of Pitt* [vol. ii, 23, *footnote*] the number of this group is estimated at about thirty. In January of 1766, John Home, former

ical standing, without the usual attachment to some noble lord, and were looked upon as particularly sordid in their ideals. They held to no political principles except that of the predominance of the king, whose real purposes they were supposed to know more correctly than the actual ministers. Contemporaries spoke of the secret cabinet, chosen from these men, which formed the real administration of Great Britain.[36]

Politically the most important group in the king's coterie was composed of the independent or unattached Whigs who one by one joined their fortunes to the court as the opportunities for gaining office through the royal influence increased. These men generally belonged by tradition to the inner circle of Whig politicians whose families had held high offices of state for generations; or, if not that, at least they had received a baptism into Whiggism from the hand of such leaders as the Duke of Newcastle, the Duke of Bedford, or William Pitt.[37] They were not so unthinkingly devoted to the king as were the members of the previous group, and frequently they posed as men of independent opinion

secretary of Lord Bute, wrote of the king's friends as a new faction. Caldwell, *Papers* [Maitland Club *Publications*, vol. lxxi], part ii, vol. ii, 57. The following were numbered among the king's friends: Lord Talbot, Lord Eglinton, Sir Francis Dashwood, Jeremiah Dyson, and Jenkinson (certainly after 1763).

[36] There can be no doubt about the influence of certain of the king's friends upon George III., just as every administrator has his personal advisers, but such hardly constitute an inner cabinet.

[37] It is difficult always to distinguish between the first two groups, but among the politicians of this latter group must be counted Lord Halifax, Lord Hillsborough, Lord Barrington, Lord North (a Tory by descent, but baptized a Whig by the Duke of Newcastle); later in the reign may be counted Lord Mansfield, Lord Dartmouth, Wedderburn (after 1770), and many others. After 1768 the desertion from other factions to that of the court was very rapid, for rewards were ample. In 1770 as many as 192 members of the House of Commons held office under the government. See *Annual Register* (1770), vol. xiii, 72.

and often boasted of not being attached to any nobleman. Although they willingly acknowledged the flag under which they served, George III. was never able to demand such blind obedience from them, as could the leaders of other political affiliations from their followers; and his failure, on some occasions, to deliver the votes of these adherents gave color to the charge of deceit so frequently made against him. As a matter of fact little solidarity existed within this group, because there was lacking that clannish spirit which held such parliamentary strength as that of the Yorkes together.

Another court group of more coherence and greater political unity was formed by the Scotch representatives in Parliament. Their influence was due in great measure to the rapid economic development of the northern kingdom during the eighteenth century, when former fishing ports became the center of a thriving and rapidly growing trade. This material progress was contemporary with a no less remarkable intellectual awakening, which has given to the world of letters, philosophy, and science, some of its most notable figures. The Scotch set of politicians was closely connected with the group of scholars who were making the northern universities famous, while Oxford and Cambridge were still cherishing their dead and deadening traditions. The most noted scholar among the politicians was James Oswald, one of the earliest advocates of that economic freedom which his friend, Adam Smith, was to make the very heart of his famous work.[38] The philos-

[38] A contemporary wrote of Oswald: "That eminent person, who joined the accomplishments of a scholar to the qualities of a statesman, willingly gave the leisure he could spare to the company of men of letters, whom he valued, and who held his great talents in high estimation. He was the first patron of Douglas; David Hume submitted to him his *Essays on Political Economy*, and the pages of his *History*, before they went to the press, and

opher, David Hume, entered the outer edge of politics; and Gilbert Elliot, who was to mount high on the ladder of governmental preferment, was a member of the inner circle of these student politicians. The "master" of this Scotch band of thinkers, as Adam Smith calls him, was Lord Kames who was in constant correspondence with the intellectual and political leaders of London.[39]

The northern kingdom sent to Parliament sixteen peers and forty-five representatives. With a singular tenacity of purpose these members always held together and voted unanimously for government whatever its complexion. For a century there was practically no rebellion in the ranks against their leader, the lord advocate. So well recognized was the situation that one of the Scottish members facetiously remarked that "the government ought always to select a tall man to fill the office of Lord Advocate" so that when divisions were demanded, the Scottish members could see how they were expected to vote. This constancy in the support of the administration was rewarded by countless gifts to Scotchmen of offices in the government at home, in the colonies, and in East India. As long as the Whig oligarchy enjoyed undisputed sway, they could count on Scottish support; but with the break-up of that coalition, the Scots were drawn gradually into the circle of the court, where the influence of the Earl of Bute and

drew from his deep insight into the political state of England, both in ancient and modern times, many valuable remarks. Lord Kames consulted him upon his literary labours, and Adam Smith was indebted to that large and comprehensive mind, for many of the views of finance, that are found in the *Wealth of Nations*."—*Memorials of the Public Life and Character of James Oswald*, p. xv.

[39] Rae, *Life of Adam Smith*, chap. iv. Lord Mansfield might be named in this connection, but he had not yet emancipated himself from the faction of the Old Whigs.

his successors kept them faithful to any ministry which the king favored. Their wishes were, therefore, a factor that had always to be considered by every administration; and in the end, since so many Scotchmen emigrated to Canada, these northern members of Parliament came to exercise an undue influence on the affairs of western America.[40]

Another group of the composite court faction was formed by the adherents of the earlier Tory party. These men, who had for years held themselves aloof from public affairs, began to participate in politics again at the formation of the first Leicester House faction, became more numerous after the success of the opposition in 1742 and the failure of the Jacobite rebellion in 1745, were brought forward prominently by William Pitt, and with the accession of George III. to the throne thronged to London for his support.[41] The members of the old Tory families drew their strength from landed interests, were especially influential in the counties, and formed a counterpoise to the merchant class which supported the Old Whigs.[42] During the period under consideration, however, they never appeared in politics as a party, but many individuals became scattered among the Whig factions, and the re-

[40] For a discussion of this situation in Scotland see Porritt, *Unreformed House of Commons*, vol. ii.

[41] Fitzmaurice, *Life of Shelburne*, vol. i, 38; Albemarle, *Rockingham Memoirs*, vol. i, 69.

[42] In Soame Jenyns's "Reflections on Several Subjects" [*Works*, vol. ii, 215] occurs the following: "It is often asserted, that the landed and trading interest of a nation must ever be inseparable; and each of them assure us, that their own is the interest of the public: but all these propositions are fallacious; there are few instances in which the landed and trading interests coincide; in most they are diametrically opposite; nor are either, or both of them, always the interest of the public; whose true interest is only to keep them from destroying each other, and involving herself in dangers and expenses."

mainder united as a subgroup with the court faction to which they generally but not always gave their support. Horace Walpole regarded them as so insignificant that they could be ignored in his narrative.[43]

Made up as it was of groups and individuals united only in their loyalty to the king but separated by their personal interests, the court faction did not always act as a unit in Parliament, and in the councils of the faction the views were often divergent. Even the Earl of Bute, who was conspicuous for his personal devotion to the king, was not always willing to compel his followers[44] to vote for measures which had received the royal approbation.[45] With the passage of years and with greater experience in politics and increasing opportunities to secure public offices the coalition grew more coherent and manageable. Before the close of the American Revolution, however, another change is to be noted. The faction ceased to belong so peculiarly to

[43] Walpole, *Memoirs of George III.*, vol. ii, 67. Samuel Johnson in the *False Alarm* complained that the Tories did not give the king their support. In 1765 the Marquis of Rockingham was ready to make a bid for the Tory support of his Old Whig ministry. Newcastle, *Correspondence*, in Camden Society, *Publications*, new ser., vol. lix, 29. In 1769 Burke speaks of Tory support of the Old Whigs. Burke, *Correspondence*, vol. i, 192. There were, however, Tories in all factions. Pitt could always count on some support from them; and among the Old Whigs, Grenvillites, and Bedfordites there were also former members of this practically defunct party.

[44] Among the followers of Lord Bute were Earl of Northumberland, Earl of Egmont, Lord Denbigh, Sir Gilbert Elliot, James Oswald. It was estimated that Bute controlled, in 1766, eighty or ninety votes in the House of Commons. See Walpole, *Memoirs of George III.*, vol. ii, 204.

[45] Note particularly the vote on the cider tax in 1763 which the Tory lords opposed and the vote on the land tax in 1767, when the landed interests of Bute's followers induced them to vote against the king's wishes. See *idem*, vol. i, 200; Harris, *Life of Hardwicke*, vol. iii, 336. From many points of view Bute's followers might be regarded as a separate faction from that of the king's friends or Scotch group. See the negotiations in 1766, Newcastle, *Correspondence* [Camden Society, *Publications*, new ser., vol. lix], 61, 62; also attitude of Bute during Rockingham's ministry, Caldwell, *Papers* [Maitland Club *Publications*, vol. lxxi], part ii, vol. ii, 57 ff.

the king and, after a conversion to the nature of its rivals, it came to be little more than a personal following of Lord North; but this metamorphosis occurred after the period covered by the narrative of this work.

From the foregoing description of factions it may be perceived that political chaos confronted the new monarch during the first years of his reign. To him there was one real danger which he felt must be avoided, namely the reseating of the Whig oligarchy in power.[46] His object was, however, larger than this, for he intended, quite in keeping with the theories of Lord Bolingbroke, to abolish party and factious divisions altogether.[47] To use his own words he wished that "*his* administration follow strenuously *his* example in opposing factious bands, in whatever quarters they appear, though willing to receive able and good men, let their private friendships be where they will."[48] In other words he hoped to unite all men as individuals in

[46] For an excellent statement of the king's purposes in 1763, see Bute to Bedford, April 2, 1763, in Bedford, *Correspondence*, vol. iii, 224; also Dodington to Bute, December 22, 1780 in Adolphus, *History of England*, vol. i, 571.

[47] See letters of the king to Pitt in Pitt's *Correspondence*, vol. iii, 21, 134, 137. There is an excellent discussion of the king's purposes in *Annual Register* (1762), vol. v, 47; also by Sir John Phillips in Grenville, *Papers*, vol. ii, 118; and in the *Gentleman's Magazine*, vol. xxxii, 366. In 1761 there was printed a pamphlet by Dr. John Douglas entitled *Seasonable Hints from an Honest Man*, in which the new system was fully expounded. This is outlined in Hunt, *History of England*, vol. x, 16. See also letter in *Gentleman's Magazine*, vol. xxxiii, 211.

[48] Pitt, *Correspondence*, vol. iii, 134. A contemporary writer expresses the principle thus: "Nothing so much manifests, as well as augments the weakness of a state, as being obliged to admit men into power by the force of faction and opposition to power; because this continually incites more faction, and more opposition for the sake of power, and at the same time incapacitates all who thus acquire it to exercise or retain it; every succeeding opposition grows stronger by experience in the arts of distressing, and every administration weaker from inexperience in the arts of governing; for opposition is the most unpromising school in which a minister can receive his education."—Jenyns, *Works*, vol. ii, 223.

the support of his throne and in this way to disunite the political affiliations which he considered as dedicated to the pursuit of purely selfish ends, which endangered not only the prerogative of the crown but also the interests of the people.

Besides the king's own immediate followers there were only two of the political groups which professed his faith. These were the Pittites who generally proclaimed loudly their adherence to Bolingbroke's ideal and the Grenvillites who were less loud in voicing their creed. Unfortunately for George III. these two bands, during the early years of his reign, were divided by a family feud and could not be persuaded to act together. The court faction in union with only one of these was unable to command a safe majority in the houses of Parliament, and therefore it was generally found necessary to form a "broad bottom" ministry supported by at least three of the warring factions.

Such coalitions were necessarily weak and inharmonius; but, since government was carried on, during the eighteenth century, by ministers who conducted the affairs of their departments independently of each other, personal hostility between them was not such an evil as it would prove today.[49] The number of principal cabinet positions to be filled varied from ten to sixteen, but the policies, so far as any existed, were determined by an inner circle of five or six officers.[50] Among the members of this committee confidence and

[49] Lord Shelburne once said that when he was president of the Board of Trade he kept all the official business transacted by himself and colleagues "as much a secret as possible from the secretary of state." See *Parliamentary History*, vol. xix, 509; Hunt, *History of England*, vol. x, 7 ff. The members of Lord North's cabinet were particularly independent of each other. See Wraxall, *Memoirs*, vol. i, 372.

[50] Winstanley, "George III. and his First Cabinet," in *English Historical Review*, vol. xvii, 679.

good faith were more essential but not customary. As a rule George III. selected most of the members of the inner circle from the factions with pure Whig traditions, though the majority of the votes in Parliament were given by his own followers.

The king never emancipated himself from the political chaos created by the annihilation of parties, and the strife of factions threatened to disrupt every ministry that was formed during his long reign. He did, however, free the monarchy from its subjection to the Whig oligarchy, and thus the way was prepared for a development of better political conditions. True party government was finally evolved out of the prevailing political disorder of his time, but its culmination falls well within the nineteenth century. The latter half of the eighteenth century knew it not.

II. THE TREATY OF PEACE, 1763

I shall burn all day my Greek and Latin books. They are histories of little people. The Romans never conquered the world till they had conquered three parts of it, and were three hundred years about it. We subdue the globe in three campaigns; and a globe, let me tell you, as big again as it was in their day. – HORACE WALPOLE.

The foregoing description of the parliamentary factions will have made clear the purpose of Pitt's question about the retention of Guadaloupe or Canada. Knowing well that in every political issue these bands of politicians would seek for their own particular interest and that towards the colonial problem they had already assumed a mental bias that would find expression in debate, he had consciously touched a match to the tinder of factional discord. Since partisanship on American questions had not become so sharply defined as it was in later years after many disputes between the mother country and the colonies had arisen, it is difficult to-day to determine with exactness and completeness what was the result of Pitt's experiment; the prevailing opinion concerning the future of the American dependencies entertained by each of the factions at this early date was not fully disclosed. Still Pitt's question raised to political importance a clear cut issue originating in the conditions brought about by the war; and very early in the discussion of it, there came from the court group a distinct pledge to promote a policy of rapid westward expansion, and by their stand there was forced on their rivals the necessity of making some declaration in favor

of, or against, such a development of the hinterland. Thus it may be said with approximate truth that all future issues concerning the Mississippi Valley were formed and the trend of partisan opinion determined during the critical period of the peace negotiations.

The treaty which closed the Seven Years' War was in its significance of world-wide importance, but only one phase of it is related to the subject of this study, namely, that affecting America. The first blow in the war had been struck on the waters of the upper Ohio, where the imperial ambitions of England and France met in a struggle which was inevitable and could be decided only by force of arms. England had based her rights to this region upon the priority of the discoveries by the Cabots, but more directly on the terms of the Treaty of Utrecht by which the Iroquois and their territory were acknowledged to be under British protection. According to British interpretation the sphere of influence of these formidable Indians was bounded on the north by the southern bank of the Saint Lawrence, included at least the land bordering the southern lakes, and extended as far west as the Illinois River.[51] By the same process of reasoning the territory south of the Ohio fell under the dominion of Great Britain, because here also dwelt her Indian allies. The French had put forward with equal force the argument of prior discovery which was strengthened in their case by actual occupation. They feared the British colonies and did not wish to permit them to secure a foothold west of the Alleghenies. After the first blood had been spilt in this clash of rival interests, the two courts appointed commissioners in the hope of adjusting their claims. France showed a moderate spirit of compro-

[51] At times these claims were more extended.

mise and was willing to make the territory lying between the Ohio and the Virginia mountains neutral ground whose status should be determined by the slow methods of diplomacy; but England demanded that France should immediately vacate the country south of the Great Lakes as far west as the Wabash River and that a definite boundary line between the two countries should be established.[52] These negotiations were broken off by the aggressive policy in the West on the part of both courts, and the struggle for the greatest and most fertile valley in the world began. The conquest of Canada in 1759 and 1760 apparently put an end to this colonial phase of the war by deciding the territorial question between the two countries and there was no reason for postponing longer the efforts to bring about peace.

The exhaustion of France was such that almost all classes were crying out for a cessation of hostilities; and the Duc de Choiseul, who had just secured a condition in the ministry that placed full powers in his hands, was ready by 1761 to win the encomiums of his countrymen by acceding to their demands;[53] but the position of his country was so weakened by the series of disastrous defeats that he thought to strengthen his

[52] The memorials and letters exchanged by the two courts are printed in *The Mystery Reveal'd*, 259 ff. See particularly the memorials [pages 289, 300]. It is not probable that either of the nations was sincere in these negotiations, for both continued to push their preparations to occupy and to hold the disputed territory.

[53] The frequent doubt that has been passed on the sincerity of Choiseul's desire seems to be completely dispelled by the careful study of his private and public letters. See Barthélemy, "Le traité de Paris entre la France et l'Angleterre," in *Revue des questions historiques*, vol. xliii, 420; Bouquet, "Le duc de Choiseul et l'Angleterre," in *Revue historique*, vol. lxxi, 1. During the course of the negotiations Choiseul became more and more convinced of the hopelessness of a satisfactory peace and was obliged to rely more completely on the Spanish alliance.

position in the future negotiations by securing the support of Spain whose ministers were anxious to force on England a settlement of certain existing disputes. To this end Choiseul began negotiations that were to lead to the *pacte de famille* and a defensive and offensive alliance between the two Bourbon monarchies before all hope of an agreement with England was lost. In attempting this Choiseul may have committed an error in tactics because English suspicions were aroused; and to this fact almost alone the failure of the negotiations must be ascribed.

In England the time seemed propitious for a proposal of peace. The new monarch, George III., had made up his mind to bring the war to a close, a determination which the influential favorite, Lord Bute, was eager to further. The Old Whigs under the leadership of the Duke of Newcastle were equally anxious for an end of hostilities; and even the great war minister, Pitt, saw no good purpose to be served in prolonging the war, provided the fruits of his victories were gathered. The most uncompromising supporters of the peace policy were the members of the Bedford faction. The duke had become, for political reasons, an enthusiastic advocate of pacific measures and was being pushed to the front as their champion by those who were undermining the influence of the popular war minister.

The British army and navy had been so uniformly victorious in all parts of the world that it would be difficult to negotiate a treaty sufficiently brilliant to meet the approval of the enthusiastic supporters of imperial expansion. As the news of victories followed in rapid succession, there was developed even in the mind of the public the determination to take advantage

of the humiliation of their traditional enemy and to exact the utmost farthing as an indemnity for what was popularly interpreted as her trickery and deceit. The question of the ownership of the insignificant territory around the upper Ohio River – the immediate occasion of the outbreak of hostilities – was now totally forgotten in the vision of much larger acquisitions. Canada, Louisiana, and the islands of the West Indies might all be demanded as the price of peace.

Such was the dream of the men on the street and it gave a popular basis for the criticism of the later treaty, but the ministers were well aware that there must be some moderation in their demands from France; and, when William Pitt shouted the dramatic question in Parliament, "Some are for keeping Canada; some Guadaloupe; who will tell me which I shall be hanged for not keeping?" he was stating the alternative that had been finally presented to those who would be responsible for the terms upon which a firm stand was to be taken. Guadaloupe represented a greatly desired tropical possession, exporting products not raised in Great Britain; Canada, on the other hand, would round out the territory of the American colonies and insure their rapid development in population and wealth. Both the province and the island could not be secured; between them a choice must be made. The final decision on this momentous question was influenced by economic theory and financial interests, and by it the future colonial policy of the British empire was determined.

Most of Pitt's hearers were unable to understand the potential economic consequences that lay within the alternatives he presented; but he could take for granted that their previous training had tuned their thought to respond to certain common chords upon which his gen-

ius had been long accustomed to play. They were men of the eighteenth century and so far as they entertained opinions on economic theory, they were in sympathy with the view of the mercantilists and thought their nation prosperous, provided her yearly exports so exceeded her imports that a balance in money was to be paid her merchants. When they speculated on the theory of colonies, they took as an incontrovertible principle that these should assist the mother country to supply her needs in such measure that her imports from aliens might be decreased and her exports increased. The result should be a self-sufficing empire, producing all that was needed for home consumption and a surplus for foreign trade.[54]

In this view the center of the empire was naturally enough the mother country whose interests were the principal consideration. To her the colonies should be only feeders; to her their economic life should be subordinated. Franklin has stated with precision the opinion of the average Englishman: "Nature has put bounds to your abilities, tho' none to your desires. Britain would, if she could, manufacture and trade for all the World; England for all Britain;–London for all England;–and every Londoner for all London."[55] A memorialist in 1763 wrote: "The British Colonies are to be regarded in no other light, but as subservient to the commerce of their mother country; the colonists are merely factors for the purposes of trade, and in all considerations concerning the Colonies, this must be

[54] For this whole discussion of the colonial theory of the eighteenth century, I have relied upon Smith, *Wealth of Nations*; Beer, *British Colonial Policy, 1754-1765*; and Hertz, *Old Colonial System*. An interesting discussion from a mercantile viewpoint is contained in [Mitchell] *Present State of Great Britain*.

[55] Franklin, *Writings* (ed. Smyth), vol. iv, 245.

always the leading idea."[56] The central position of Great Britain imposed upon her certain very grave duties towards her dependencies. The interests of these latter were of prime importance where they were supplemental in character and should be fostered by every means. Imports from the oversea dominions should enjoy preferential rates; therefore within the British empire, everybody was obliged to smoke colonial tobacco, eat colonial sugar, and use colonial tar. Bounties were given or duty regulations made for the purpose of encouraging or starting certain American industries, as the cultivation of hemp and silk, the trade in beavers, and the whale fisheries.[57] This duty of promoting the industries of the dependencies, which was a tenet of every statesman's belief, was thus expressed by George Grenville: "I perfectly agree with you 'that we ought to take our materials for manufactures from our colonies, altho' we should pay higher prices for them or be obliged to reduce the price of them to our manufacturers by bounties.'"[58] This encouragement to colonial industries was not, however, to be extended to manufactures. Few eighteenth-century men had emancipated themselves sufficiently from mercantilist thought to regard possible competition with equanimity. In his famous speech on the repeal of the Stamp Act William Pitt affirmed, "that if the Americans should manufacture a lock of wool or a horse shoe, he would fill their ports with ships and their towns with troops."[59]

[56] *Lansdowne Manuscripts*, vol. lxxxv, 26-35.

[57] Smith, *Wealth of Nations*, book iv, chap. vii; Beer, *British Colonial Policy*, 215, 217, 218; Hertz, *Old Colonial System*, 38, 44 ff.

[58] "Knox Manuscripts," 95, in Historical Manuscripts Commission, *Report on Manuscripts in various Collections*, vol. vi.

[59] Grenville to Knox, August 15, 1769, in Knox, *Extra Official State Pa-*

In asking the question about Canada and Guadaloupe, Pitt knew that the above principles were held by practically all his hearers, but he directed his dilemma at a growing difference in opinion over the value that colonies were to Great Britain. Many of the politicians were still clinging to that time-worn theory which had been the incentive among European countries to undertake the planting of dependencies, namely that these would produce the staple commodities and those raw materials, required for manufacturing purposes, which could not be supplied in sufficient quantities in the mother country. To men of this thought that was the sole value of colonies. When the manufacturers, however, increased in number and the volume of their output grew, and when the middlemen became wealthy through furnishing the world's markets with British products, a new conception of the place of colonies in the empire developed rapidly and impregnated the thought of the progressive politicians, who looked upon Pitt in particular as their spokesman. According to this new view, dependencies should be fostered for the sake of their markets. Rapidly increasing communities capable of purchasing large quantities of merchandise were preferable to territory whose sole value was the production of staple and raw materials. The following words written in 1769 have a very modern sound:

> The first ends proposed in planting Colonies, are to encrease the strength of the mother country by providing room for an encrease of people; and to encrease its wealth by establishing with them an intercourse of commerce, mutually advantageous, colonization in any other view than one of them, or tending to them, being absurd, and subversive of itself.[60]

pers, vol. ii, appendix xv. See also *Essays Commercial and Political on the Real and Relative Interests of Imperial and Dependent States* (1777), 51.

[60] *American Traveller*, 119. See also page 70, where the writer advocated

This more recent conception of dependencies won a notable victory in the treaty of peace.[61]

Still the older view of the purposes of colonies died slowly, and there are many indications that the public still clung to the idea that the dependencies whose agricultural and mineral products differed from those of England were particularly valuable and that any whose economic resources were similar were of little worth to the mother country. To the average Englishman the West Indies and the continental colonies from Maryland southward appeared ideal, and he could calculate their advantages to the empire, but the northern colonies seemed of minor consequence, since they must eventually become rivals.[62] The author of *An Impartial History of the late glorious War* expressed a thought commonly enough entertained, when he wrote that "neither the soil nor climate will admit of any improvement for Britain, in any of those Northern colonies," and maintained, as did many other writers, that the best means of continuing them in the condition of dependence was to "remove their spare people who want lands, to those vacant lands in the southern parts of the continent, which turn to so much greater account than any they are possessed of." Here, "they may now make

the encouragement of agriculture and manufacturing in the colonies, in order that the people may become rich and buy more from the mother country.

[61] *Parliamentary History*, vol. xv, 1271; Beer, *British Colonial Policy*, 155.

[62] *An Examination of the Commercial Principles.* A memorialist of 1763 wrote: "Whoever attentively considers the nature of our settlements on the continent of America, will soon be convinced, that 'tis for the interest of this nation to check population in the northern colonies and encourage it in the southern." – *Lansdowne Manuscripts*, vol. xlviii, 536 ff. An excellent discussion based on this view is in the *Gentleman's Magazine*, vol. xxxiii, 380. See also *Essays Commercial and Political on the Real and Relative Interests of Imperial and Dependent States* (1777), sec. ii. The writer advances as a general principle that "we shall find as they [the colonies] advance towards the sun, they are more beneficial to Britain" [page 10]. See also Beer, *British Colonial Policy*, 134, 135, 149.

some staple commodity for Britain, on which the interest of the colonies, and of the nation in them, chiefly depends."[63] Upon the final determination of the use of the Mississippi Valley, this prejudice had considerable influence.

It is impossible to find the line in the English population that separated those who still clung to the older colonial theory from those who had been converted to the new; but in general the merchants of the city seem to have favored the southern and tropical colonies and preferred that England should retain her conquest of Guadaloupe rather than Canada; whereas the manufacturing and the farming population which was at this time particularly interested in wool held to the opposite opinion.[64] Against the merchants were all those interested in the production of sugar, who feared that an increase of sugar producing territory would decrease the value of their own plantations.[65]

Pitt undoubtedly kept his fingers on the public pulse to learn the popular opinion on the issue, but the alignment of the factions in Parliament was the particular occasion of his dilemma. They, not the public, would hold him to a future accounting of his stewardship. It may be that at the time he was speaking there was some doubt in his mind how the votes would be divided when a future treaty of peace should be proposed. Still such doubt could not have lasted long, since the majority of factions soon spoke in decisive terms. The choice of Pitt and his followers had long been made.

[63] Printed in 1764. This discussion is in an appendix, pages 311 ff.; the quoted passages are found on pages 320, 321.

[64] Beer, *British Colonial Policy*, 139.

[65] *Reasons for keeping Guadaloupe at a Peace*, 13. In reference to the possible capture of Martinique the Duke of Bedford wrote: "Which I suppose the sugar planters will no more desire should be retained by us than they did in relation to Guadaloupe." – Bedford, *Correspondence*, vol. iii, 25.

They favored Canada[66] and may possibly have considered the retention of Guadaloupe also, but this latter is very uncertain.[67] The Grenvillites were always staunch advocates for keeping the northern province and were never in doubt as to how they would cast their votes. Of much more importance was the opinion of the king's followers, who were now the most powerful factor in politics. Under the leadership of the Earl of Bute they expressed their sentiments in favor of rounding out the British dominions in North America by taking from France the valleys of the Saint Lawrence and the Mississippi Rivers.[68] Openly and outspokenly opposed to the keeping of the northern French province were the Bedfordites. Their reasons were twofold: first, they feared that, like Spain, England would become

[66] Albemarle, *Rockingham Memoirs*, vol. i, 23. See also the papers during the negotiations, printed in *Parliamentary History*, vol. xv, 1018 ff.

[67] He stated during the discussion of the preliminaries that he desired to keep Guadaloupe, according to the report in *Parliamentary History* [vol. xv, 1264]; but his well known friendship for Alderman Beckford, whose financial interests in the West Indies made him oppose further acquisition in that region, made his contemporaries believe that Pitt also shared these opinions. Mauduit, *Considerations on the Present German War*. In a copy of a fourth edition of this work in the British Museum are some annotations by Mauduit himself. One of these is as follows: "During the whole of Mr. Pitt's administration, no one had as much of his confidence as Mr. Beckford. He was made to believe that he held the city by Beckford's means, and gave free admission to him, while he kept himself inaccessible to every one else. . . Beckford dreaded the increase of our sugar islands, lest that might lessen the value of his lands in Jamaica, and hence proceeded Mr. Pitt's invincible aversion to any attempts on the French Islands; and the speech he made on the first day of the sessions, 1760, soon after the *Considerations* had been published, in which he expressly declared against making any further conquests in the West Indies." For this passage I am indebted to Professor W. L. Grant of Queen's University, Kingston, who kindly loaned me the manuscript of his paper on "Canada versus Guadaloupe, an Episode of the Seven Years War." This was later printed in the *American Historical Review*, vol. xvii, 735.

[68] Bute to Bedford, July 12, 1761, Bedford, *Correspondence*, vol. iii, 33. The best source for Bute's attitude during the negotiations is contained in a series of letters from Jenkinson to Grenville, in Grenville, *Papers*, vol. i, 363 ff.

weakened by too many colonies; and secondly, they thought the neighborhood of a hostile colony on the north necessary for the maintenance of the dependency of America.[69] Pitt could have entertained no doubt about the opinion of the politicians attached to the above groups, but his hesitancy in announcing his own choice was due to the doubtful attitude of those who were marshalled under the flags of the Duke of Cumberland and of the Old Whigs. Even to-day the attitude of these on the issue is a matter of speculation, because their numerous leaders were not unanimous on the subject. Many did, however, share the fears of the Bedfordites, and in the following pages will be found the reasons for suspecting that those who looked to the leadership of the Duke of Newcastle, at least, were in favor of compelling France to yield the tropical island rather than Canada.

Over the terms of the treaty of peace there was waged a pamphlet discussion that not only throws considerable light on the opinion of those men who were to determine the destinies of the Mississippi Valley but also contains the germs of those arguments in favor of this or that disposition of it which were later to be developed with greater detail and with more precise definition by partisan writers. The first pamphlet, entitled *A Letter addressed to two great Men on the Prospect of Peace*, appeared shortly after the news of the fall of Quebec.[70] The author urged the "two great men,"

[69] British Museum, Newcastle, *Papers*, 32922; Bedford, *Correspondence*, vol. iii, 17. The idea that Great Britain might become burdened by the weight of her possessions was not an uncommon one. See the pamphlet published in London, 1765, *Thoughts on a Question of Importance proposed to the Public, whether it is Possible that the Immense Extent of Territory acquired by the Nation at the Late Peace, will operate towards the Prosperity, or the Ruin of the Island of Great Britain.*

[70] London, December, 1759. I have used the second edition, 1760. For a list of the pamphlets on the peace see the "Bibliography."

Pitt and Newcastle, to make the cession of Canada one of the conditions, because in no other way could the safety of the colonies be protected from French encroachments, and because the colonies offered a growing market for British manufactures. The publication of the pamphlet gains great significance from the fact that it emanated from the court faction. Although it was published anonymously, contemporaries knew that it was written by John Douglas, later Bishop of Salisbury, a follower of the Earl of Bath.

The ablest of these pamphlets was in part composed by a man equally in sympathy with the circle of the king's followers. Benjamin Franklin was at the time living in England and was watching with interest the course of the war and the changing scenes in imperial politics. His sympathies were aroused by the youth and inexperience of the king who appeared so unfitted to cope with the factious crowd of self-seekers around him. Possibly self-interest also made him join himself to Lord Shelburne and the followers of the Earl of Bute and eschew their chief opponents, the Old Whigs, as stupid and brutal.[71] In the preparation of the pamphlet, Franklin had the assistance of the learned Richard Jackson, agent for Pennsylvania, who was to become better known as a follower of Shelburne when in opposition; but at this time he was, like his later

[71] Franklin wrote to Strahan, December 7, 1762: "I hope the crazy heads that have been so long raving about Scotchmen and Scotland are by this time either broke or mended."—Franklin, *Writings* (ed. Smyth), vol. iv, 181. A year later he wrote to the same: "You now fear for our virtuous young king, that the faction forming will overpower him and render his reign uncomfortable. On the contrary, I am of opinion that his virtue and the consciousness of his sincere intentions to make his people happy will give him firmness and steadiness in his measures and in the support of the honest friends he has chosen to serve him."—*Idem*, 212. Besides the influence of the faction with which Franklin was associated, he had the colonial and his own interests in mind in writing the pamphlet. It was through the influence of the Earl of Bute that Franklin's son, William, was made a baronet.

leader, on the side of the close intimates of the king. These two men published in 1760 *The Interest of Great Britain considered*[72] answering the pamphlet *Remarks on the Letter addressed to two great Men.* They argued that the retention of Canada by England was the only means of preventing war, because it would be impossible to draw a boundary through the forests which the frontiersmen of either nation would respect; that the increase of territory would mean cheap land, a colonial farming community, and the postponement of a manufacturing era; that the growing population would consume more British products; that there was no danger of the colonies declaring their independence on account of their particularism and mutual jealousy.

Such was the view of the question taken by the party most closely associated with George III. There were many who disagreed with these arguments. The most notable champion of the opposing view was in all probability a follower of the Old Whigs. This was William Burke, a connection of the more famous Edmund. He wrote an answer to the pamphlet by Douglas,[73] in which he advised that Canada with boundaries circumscribed in accordance with the claims of England before the war be returned to France. To him it appeared that all the advantages which England could expect to obtain from the West might be hers provided

[72] The full title is *The Interest of Great Britain Considered with regard to her Colonies and the Acquisitions of Canada and Guadaloupe.* It is printed in Franklin, *Writings* (ed. Smyth), vol. iv, 32. The greater part of it was written by Jackson. See *idem*, vol. i, 138.

[73] *Remarks on the Letter address'd to two great Men* (London, 1760). It has also been ascribed to Charles Townshend, but I feel quite certain that he was not the author, since he was at the time attached to Lord Bute. The *Dictionary of National Biography* [article on "William Burke"] claims Burke as the author. William Burke was for a time secretary of Guadaloupe, a fact which undoubtedly affected his opinion, Weston Underwood, *Manuscripts*, Historical Manuscripts Commission, *Report*, vol. x, Appendix i, 893.

the territory in the Ohio Valley was so extended as to control the fur trade of the southern Great Lakes, "Thus without aiming at the total possession of Canada, by establishing proper limits, and by securing them properly, we may draw to ourselves a great part of that trade which must give Canada itself any value, in the eyes of a commercial nation."[74]

From another viewpoint the cession of Canada to England was regarded by Burke as a distinct evil. If all danger from a French colony on the north should be removed, the English colonists would freely spread themselves westward. Here they would increase rapidly, become strong and more independent, and soon throw off all political relations with the mother country. "A neighbor that keeps us in some awe, is not always the worst of neighbors."

In the discussion of the relative values of Canada and Guadaloupe, Burke showed that he had not emancipated himself from the older colonial theory. The island was of greater value because its products were tropical and did not compete with those of England. "It is a known fact that they make more sugar in Guadaloupe, than in any of our islands, except Jamaica. This branch alone, besides the employment of so much shipping, and so many seamen, will produce clear 300,000

[74] *Remarks on the Letters, etc.*, 39 (wrongly numbered 37 in the edition used). These are somewhat more limited than the bounds that were at the time under consideration by the Duke of Newcastle, the leader of the Old Whigs, for whom the Earl of Morten drew up a paper on the subject in January of the same year. According to this England should demand the cession of all the territory south of the line of the Saint Lawrence and Ottawa Rivers and the northern boundary of Lakes Huron and Michigan, along the western shore of the latter lake, to the Desplaines River, down the Illinois and Mississippi to the Yasoo, thence in a southeastern direction to Georgia. The Earl of Morten also recommended the Mississippi as the most natural boundary; and gave it as his opinion that it would be best for England to unite with Spain and drive the French from the American continent. Morten to Newcastle, January 15, 1760, British Museum, *Additional Manuscripts*, 32901, p. 290.

per annum to our Merchants."[75] Compared with the value of this single product of Guadaloupe, the island was more valuable than all Canada. "The produce of all the northern colonies is the same as that of England, corn, and cattle: and therefore, except for a few naval stores, there is very little trade from thence directly to England. Their own commodities bear a very low price; and thus they are of necessity driven to set up manufactures similar to those of England, in which they are favoured by the plenty and cheapness of provisions."[76]

To the same pamphlet debate belongs the *Reasons for keeping Guadaloupe at a Peace preferable to Canada.*[77] This contained a series of letters dated at Guadaloupe, December 12, 1760. The writer was completely convinced that the American colonies would become independent in the future and that the driving of the French from Canada would only hasten the final act. He returns to this idea again and again, exhibits his reasons now from one viewpoint, now from another. "As America increases in people, so she must increase in arts and sciences, in manufactures and trade, while she has the same laws, liberties, and genius we have at home; the more she increases in these, the less she must

[75] *Remarks on the Letter*, etc., 40.

[76] — *Idem*, 49. In 1762 William Burke wrote another pamphlet, entitled, *An Examination of the Commercial Principles of the Late Negotiation* (London), in which he developed the same arguments. The full force of his reasoning can only be appreciated by reading both works.

[77] Full title: *Reasons for keeping Guadaloupe at a Peace, preferable to Canada, explained in Five Letters, from a Gentleman in Guadaloupe, to his Friend in London* (London, 1761). The writer claimed that he resided in Guadaloupe and was familiar with the British custom and naval offices. His pamphlet was an answer to all those published previously, but seems to have been directly called out by a pamphlet by Charles Lee, entitled, *The Importance of Canada considered in Two Letters to a Noble Lord* (London, 1761). This latter is not outlined here, since the arguments advanced are practically covered by the other writers on the same side.

want from Britain; the more she rises above a certain pitch, her utility and advantage to Britain must proportionably decrease."[78] "The having all North-America to ourselves, by acquiring Canada, dazzles the eyes, and blinds the understandings of the giddy and unthinking people, as it is natural for the human mind to grasp at every appearance of wealth and grandeur, yet it is very easy to discover that such a peace might soon ruin Britain: I say the acquisition of Canada would be destructive, because such a country as North-America, ten times larger in extent than Britain, richer soil in most places, all the different climates you can fancy, all the lakes and rivers for navigation one could wish, plenty of wood for shipping, and as much iron, hemp, and naval stores, as any part of the world; such a country at such a distance, could never remain long subject to Britain."[79]

Between the values of Canada and Guadaloupe there can be no comparison, the author thinks. The former can add only a slight extension of the fur trade, while Guadaloupe "can furnish as much sugar, cotton, rum and coffee" as all the other British Islands.[80] He enumerates at length all the products of the island, gives the statistics of past exports, and indicates their future development. Besides the local value of her products, the possession of the island will increase the value of the whole North American trade, which is largely dependent on the islands, because these latter form one of the three constituent parts of the valuable colonial commerce. "Since these three parties, Britain, North America, and the West-Indies, are so inseparably linked in one trade and interest, and that the West-

[78] *Reasons for keeping Guadaloupe*, etc., 20.

[79] — *Idem*, 6.

[80] — *Idem*, 7.

Indies, one of the three, is universally allowed to be so far deficient in extent of territory as thereby to confine and limit the trade and profit of the whole," it follows that the rich Guadaloupe should be retained to make the three parties more equal.[81]

A memorial called *Miscellaneous Representations relative to our Concerns in America* was submitted by Henry M'Culloh to the Earl of Bute during the year 1761.[82] Although this was not published at the time, it was read by many of the ministers with interest. M'Culloh was at the time an official in North Carolina. His political affiliations had been with the Old Whigs to whom he owed his place, but he was now courting their opponents. He took, on the whole, a middle ground in the argument; but the chief significance of his memorial is that his experiences in the southern colonies had taught him the value of Louisiana which he regarded as of more importance to the empire than Canada. He pointed out that if the French were permitted to hold this territory they would continue to reap the advantages they had hitherto enjoyed in the West.[83] "In this light as conceived it will appear, that, if the French are left in possession of Louisiana, our having possession of Canada will not free our frontier settlements from being annoyed by the Indians, unless we regulate our commerce with them, and fortify the lakes; and that if we have possession of the lakes and the territories belonging thereto, and also the whole province of Acadia, the remainder of Canada exclusive of

[81] *Reasons for keeping Guadaloupe*, etc., 24.

[82] This has been edited by W. H. Shaw and published in London, 1905.

[83] In a pamphlet written after the preliminaries were published the importance of Louisiana to the colonies was elaborated at great length. The title is: *An Impartial Enquiry into the Right of the French King to the Territory West of the Great River Mississippi*, etc. (London, 1762). For other pamphlets with a similar view see the "Special Bibliography."

the fishery is not an object of any great moment to this Kingdom."[84] On the other hand M'Culloh was not in favor of keeping Guadaloupe but preferred some of the neutral islands.

The issue raised by Pitt's dramatic question had already been decided by the ministers long before the pamphlet warfare ceased, and so all this argument about the relative values of Canada and Guadaloupe was not of much avail, except to offer an opportunity to assert the platforms of the factions. The French minister possessed a very clear understanding of the opinion prevailing in the British ministry and had made up his mind that peace could be bought only by the sacrifice of Canada; and this he acknowledged by his first proposal on March 26, 1761, that the basis of the peace negotiations should be the *uti possidetis* on certain fixed dates.[85] From the course of the negotiations it is evident that Choiseul hoped to obtain for France some fishing rights off Newfoundland and in the Gulf of Saint Lawrence and the return of Guadaloupe. To the latter the British ministry were agreed, but the condition concerning the fisheries caused the warmest dispute. Both Pitt and Bute were in favor of excluding

[84] *Miscellaneous Representations relative to our concerns in America*, 6. Although as evidence it is by no means conclusive, the fact is significant that the Earl of Morten's *Report* [see *footnote* 74], William Burke's pamphlets, and M'Culloh's memorial, all written by adherents of the Old Whigs, underestimated the value of Canada. Undoubtedly a study of the *Newcastle* and *Hardwicke Manuscripts* in the British Museum would yield sufficient data to form a judgment, but from the above evidence and from an extensive reading of contemporary opinion I am forced to the conclusion that the Old Whigs were at least lukewarm on the subject of keeping Canada, although there were individual members of the faction who held an opposite opinion.

[85] The papers of these first negotiations of 1761 were printed in Paris by the Duc de Choiseul and they were translated into English and published as *Historical Memorial of the Negotiations of France and England*; printed also in abridged form in *Gentleman's Magazine*, vol. xxxi, 501 ff. The papers may also be found in *Parliamentary History*, vol. xv, 1023 ff.

France from the Canadian seas, but finally the persistence of the peace party prevailed and the right of fishing on a part of the Newfoundland coast was allowed, and it was agreed to concede the small island of Saint Pierre for the purpose of drying fish.[86] This proposition France was willing to accept provided the small island of Miquelon were added.

From the correspondence concerning the above conditions, it seemed possible for the two nations to reach an agreement. They were, however, much farther apart on the interpretation of the meaning of Canada. When Governor Vaudreuil, in 1760, surrendered that province to General Amherst, he had in his mind a territory with fairly definite boundaries, these having been sufficiently well marked in order to avoid a conflict of jurisdiction with Louisiana. According to an official statement the watershed between the Great Lakes and the Mississippi Valley as far south as the head waters of the Wabash formed the most northern boundary of Louisiana. The boundary then extended down the Wabash to its junction with the Ohio. In the valley of this latter river the limits of the two provinces might have been a subject of dispute, but at the time of the outbreak of the French and Indian War, the region around the forks of the Ohio was actually governed from Quebec.[87]

The French made no objection to ceding Canada as it had been held by themselves,[88] but this did not put to

[86] Answer of British minister, August 16, 1761, *Parliamentary History*, vol. xv, 1064.

[87] Memoire, July 15, 1761, Affaires Étrangères in *Correspondence politique Etats Unis*, tome vi, no. 14, ff. 79-80. See also Gage's report, March 20, 1762, in Shortt and Doughty, *Constitutional Documents*, 72. According to Delisle's *Carte d'Amerique* (1722), Louisiana extended to the valley of the Missouri River and to a line beginning south of the Illinois River and running east to the mountains; but this map was drawn before the region was well known.

[88] The words were: "The king cedes and guaranties Canada to the King

rest the dispute about possessions in the Southwest. Louisiana had always claimed the whole region south of the Ohio and east to the Alleghanies, and a writer in the *Gentleman's Magazine* was correct in pointing out that the French in Louisiana were as dangerous, if not more so, than the Canadians and that the establishment of proper limits in the Southwest was just as important as in the lake region.[89] To the demand of the French that "the limits of Canada, with regard to Louisiana, shall be clearly and firmly established, as well as those of Louisiana and Virginia,"[90] the English ministry returned an answer which showed their fear of French trickery. They demanded that the cession should be made "without any new limits, or any exceptions whatever." They were unwilling to agree that "whatever does not belong to Canada shall appertain to Louisiana, nor that the boundaries of the last province should extend to Virginia, or to the British possessions on the borders of the Ohio."[91]

The issue was fairly joined and one or both sides must yield, if an agreement was to be reached. The English ministry held to their view very emphatically and were convinced, as Devonshire wrote, that the French were trying to "chicane about the limits of Canada on the side of the Ohio."[92] Pitt attempted to extend the British claims in two ways. First he insisted on introduc-

of England, such as it has been and in right ought to be possessed by France."—*Parliamentary History*, vol. xv, 1039.

[89] *Gentleman's Magazine*, vol. xxxi, 123, 499. This was the theme of several contemporary pamphlets, as is noted in the "Special Bibliography."

[90] *Parliamentary History*, vol. xv, 1040.

[91] —*Idem*, vol. xv, 1047. It is difficult to believe that the English ministry was as ignorant of the boundaries of Canada as they pretend. The author of the *State of British and French Colonies* [p. 108] which was published in 1755, was familiar with the boundaries; and Jefferys's *History of the French Dominions*, published in 1760, states that Canada included all territory situated between forty and fifty degrees of latitude.

[92] Albemarle, *Rockingham Memoirs*, vol. i, 34.

ing the word "dependencies," which the French said must be defined, because, if the word had any meaning at all, it meant the whole of Louisiana.[93] The second means used was to maintain that Governor Vaudreuil had marked on a map such boundaries that the country of the Illinois was included. This Vaudreuil denied emphatically.[94] As a result of the negotiations the most that the French could be persuaded to concede was the larger limits of Canada.[95] On the question of the Southwest both parties were indisposed to make complete concessions. The British ministry proposed that the Indian tribes should be under the protection of England.[96] The final answer of the French to this was that in this region the Indians should be declared neutral and independent but that distinctly marked spheres of influence should be assigned the two countries.[97] With this exchange of irreconcilable conditions the negotiations closed.

This disagreement about limits south of the Ohio can not be looked upon as a main cause of the failure of the negotiations in 1761. Much more important was the belief of the British ministers in the insincerity of Choiseul, particularly after their suspicions of his negotia-

[93] British answer of August 16, *Parliamentary History*, vol. xv, 1061, 1067.

[94] *Gentleman's Magazine*, vol. xxxi, 547. Vaudreuil was so familiar with both Louisiana and Canada that it is not likely that he would make such a mistake. In 1748 he defended the inclusion of Illinois within the limits of Louisiana. See Wisconsin *Historical Collections*, vol. xvii, 512.

[95] French memorial, September 13, in *Parliamentary History*, vol. xv, 1067.

[96] British answer, August 16, in *idem*, 1063. Would Pitt have been satisfied with this? In discussing the preliminaries the next year he said: "She [France] had given you more in Canada than she knew you could use, and more than he had contended for." – Walpole, *Memoirs of George III.*, vol. i, 182. For further discussion see *footnote* 101.

[97] The negotiations are not very clear on this point. *Parliamentary History*, vol. xv, 1069. See on this point Bouquet, "Le duc de Choiseul et l'Angleterre," in *Revue historique*, vol. lxxi, 13; and *Historical Memorial of the Negotiation*, 50.

tions with Spain were confirmed by intercepted letters and by the attempt to force the Spanish conditions upon them. From various sources of information Pitt gathered a very clear idea of the existing condition of the Franco-Spanish alliance, and this explains his unwillingness to make concessions in order to promote the cause of the peace. The Duc de Choiseul, therefore, was obliged to trust more completely than he had expected upon the assistance of Spain; and both the Bourbon courts prepared for an active conduct of the war.

On the part of England the operations were no longer to feel the guiding hand of her successful minister. Convinced as he was of the union of France and Spain, Pitt attempted to persuade his colleagues to strike immediately a blow at the latter before taking further diplomatic steps. In this he was unsuccessful and in consequence resigned on October 5, 1761. Although Pitt was thus forced out of office his policy prevailed, and shortly afterwards his successors were compelled to declare war on Spain.

Before the final peace negotiations were concluded, the newspapers had further important victories to chronicle to the glory of the army and navy of Great Britain. By the fall of Martinique, France had lost her control of the West Indies; and by the capture of Havana the cutting off of the Spanish possessions was begun, so that the position of England in the new negotiations for peace was greatly strengthened.

Had Pitt remained at the head of affairs, there can be no question but that the full advantage of this situation would have been seized; but the leadership in the negotiations fell to the share of the king's favorite, the Earl of Bute. The reputation of this minister has suffered more from factious literature than that of any of

his contemporaries. After making due allowance for prejudiced views, the information about him reveals a man with a sense of honor and with noble but fantastic ideals of his duty to his king and country. He was, however, without experience in the business of state and was so ignorant of financial affairs that he complained of not understanding the conversation of the merchants when they came to consult with him. His nature was that of a bookman, or rather of a dilettante; his knowledge was extensive and varied but his understanding of what he read and saw was superficial rather than deep. His allegiance to the king was tinged with the emotional fidelity of the clansman to his chief; self-sacrifice for his monarch's honor was his duty. The ambition of his life was to make the reign of George III. one of the most illustrious in the annals of history. Like other men of books he dreamed of reformations which should regenerate society; he would be the Duc de Sully of England. Lord Shelburne, who was on intimate terms with him at this time but finally became his irreconcilable opponent, called him the "greatest political coward" he ever knew; and in a sense his opinion was justified, although a bold, even reckless, man like Lord Shelburne was not a sympathetic judge of the character of a recluse, brought suddenly into a position of great prominence and responsibility. Lord Bute lacked confidence in his own judgment; and, since he was continually asking advice, his closest associates colored his opinions and actions. While still allied with William Pitt he advocated the boldest plans, but once under the influence of the pacifists he was willing to reverse his former opinions.[98]

[98] The most favorable picture of Lord Bute has been left us by an intimate friend and follower long after personal interest could have influenced him. Although no doubt too favorable, still it is probably nearer correct than

After the fall of Pitt, Lord Bute drew closer to the Bedford faction in order to gain a counterpoise to the following of Newcastle;[99] and in this environment his wish for peace, shared by his royal master was strengthened, since the Duke of Bedford was willing for peace at almost any reasonable price. With the withdrawal of the Duke of Newcastle from the ministry in the spring of 1762, Bute's power became more assured. Fortunately for him his tendency to lean on Bedford was counteracted by the outspoken opinions of Grenville and his brother-in-law, Lord Egremont, who could not be entirely ignored. The principles of the peace negotiations conducted by these four men differed in some respects from those of the previous year. Pitt had been determined to weaken France to the utmost particularly by wresting from her all naval power. The Duke of Bedford was of the contrary opinion. In 1761, he had thus expressed it: "Indeed, my Lord, the endeavouring to drive France entirely out of any naval power is fighting against nature, and can tend to no one good to this country; but, on the contrary, must excite all the naval powers of Europe to enter into a confederacy against us."[100] Persuaded by Bedford of the impracticability and danger of crushing the French naval strength, the value of the conquests in the West Indies in the eyes of the ministers decreased, and they

many unfavorable portraits drawn contemporaneously in the heat of controversy. See Dutens, *Memoirs of a Traveller*, vol. i, 161 ff., vol. ii, 113 ff. Very favorable glimpses may be found in the letters of friends in Caldwell, *Papers* [Maitland Club *Publications*, vol. lxxi], *passim*; Jesse, *Memoirs of George III.*, vol. i, 172; consult also Waldegrave, *Memoirs*, 37; Fitzmaurice, *Life of Shelburne*, vol. i, 110; Walpole, *Memoirs of George III.*, vol. i, 28, 135; Nichols, *Recollections and Reflections*, vol. ii, *passim*. Von Ruville has drawn an excellent sketch of the favorite in his essay *William Pitt und Graf Bute*, 14 ff., and in his *William Pitt*, vol. ii, 315.

[99] Bedford, *Correspondence*, vol. iii, 50 ff.

[100] — *Idem*, 26.

looked elsewhere for the solid advantages from the war.

With this altered point of view it was natural that their eyes should turn to that region south of the Ohio, so important for the southern colonies, concerning which Pitt had been unable to reach an agreement with the French.[101] Grenville and Egremont were the first advocates of this policy and urged that Guadeloupe and the other captured islands be exchanged for Louisiana.[102] To them and finally to their colleagues it seemed important to secure the full advantages for which the British nation went to war, namely the security of the colonies on the frontiers, the possibility of expansion westward, and the benefits of the fur trade. Should these be obtained it was felt that the sacrifice of other conquests would be only a just compensation for the benefits of peace. It is not probable, however, that France could have been persuaded to give up all Louisiana. Lord Bute was the one to propose the compromise. On May 1, 1762, he wrote to the Duke of Bedford:

> That on weighing attentively the offer we had made of restoring Martinique on the French ceding Guadaloupe or Louisiana, I frankly owned I saw no probability of peace; they certainly would not accept these terms, and if so, war must be continued; and I find myself reduced to the painful necessity of declaring

[101] In the discussion of the preliminaries of peace, it is possible that Pitt minimized the difference between what he could have obtained in the Southwest and what Bute had actually secured. According to the report of his speech he said: "Of the dereliction of North America by the French, he entirely approved. But the negociators had no trouble in obtaining this acquisition. It had been the *uti possidetis* in his own negociation, to which the French had readily consented." – *Parliamentary History*, vol. xv, 1264. There is some question, however, whether this is correctly reported, for, according to Walpole, Pitt said that France "had given you more in Canada than she knew you could use, and more than he had contended for. . . He applauded the drawing of the article of Canada, infinitely better executed than he could have done it." – Walpole, *Memoirs of George III.*, vol. i, 182.

[102] Grenville, *Papers*, vol. i, 450.

> for a measure I knew very opposite to ideas of lords for whom I had a great regard; that to prevent this, I should propose to the French an offer that they ought to accept, and that we ought not to depart from; viz. the restoring to them both Martinique and Guadaloupe, with Marygalante, we retaining the neutral islands and the Grenada, and that to prevent all further disputes, the Mississippi should be the boundary between the two nations; in yielding to this the French in reality part with nothing they had a legal claim to, and so secure in perpetuity our northern conquests from all future chicane.[103]

To this the ministry agreed.

This proposal was accepted by France without consultation with Spain. One condition the Duc de Choiseul made and insisted upon in spite of British protest: he demanded that New Orleans on the east bank of the Mississippi should remain in the possession of France.[104] This raised the question of the navigation of the river from its source to the sea, upon which the British ministry laid great stress,[105] insisting that upon this point there must be no misunderstanding.[106] When the Duke of Bedford, appointed to negotiate the peace, arrived in Paris, he learned that Spain had not been informed of the French promise to cede her possessions east of the Mississippi and the navigation of the river, and that there was great fear of objection from that state.[107] In fact as soon as the Spanish ambassador received an inkling of this, he raised objections since the Spanish court was unwilling to give the English an out-

[103] Bedford, *Correspondence*, vol. iii, 76.

[104] Outline of Choiseul's dispatch in Corbett, *England in the Seven Years War*, vol. ii, 339; see also 341 ff.

[105] The king himself insisted that the navigation of the Mississippi should be a condition of peace. See Bedford, *Correspondence*, vol. iii, 98, *footnote*.

[106] Bedford to Egremont, September 12, in Public Record Office, *State Papers Foreign, France*, 253; same to same, September 19, in Bedford, *Correspondence*, vol. iii, 111.

[107] — *Idem*, 102, 112.

let in the Gulf of Mexico, which would serve to strengthen their trade with the Spanish colonies. The Duc de Choiseul, therefore, proposed that the full extent of the concession in the Southwest should be concealed from the Spanish ambassador.[108]

Such was the position of the negotiations when the news of the capture of Havana arrived.[109] Everybody realized that the event changed the conditions. In expectation of this conquest the Earl of Bute had told the Duke of Bedford that he hoped Spain might be induced to cede Florida; and upon receipt of the news he expressed a similar wish,[110] though he would have been willing to give up Havana without compensation rather than endanger the peace.[111] The strongest advocate for demanding an equivalent for Havana was George Grenville, who proposed that Florida and that part of Louisiana still disputed by Spain be ceded, or else the island of Porto Rico.[112] Following the line of thought which had made them prefer eastern Louisiana to Guadaloupe or Martinique, the ministry preferred Florida, which rounded out the British possessions in North America.[113]

Spain was no longer in a position to reject a reasonable offer; and, when France expressed her willingness to cede all Louisiana west of the Mississippi to her in compensation for the loss of Florida, the Spanish am-

[108] Bedford to Egremont, September 19 in Bedford, Correspondence, vol. iii, 112. Von Ruville, also, regards that the main point at issue in the negotiations was the region of the Southwest and the navigation of the Mississippi. Von Ruville, *William Pitt*, vol. iii, 75.

[109] September 29, 1762.

[110] Bedford, *Correspondence*, vol. iii, 96, 133.

[111] Albemarle, *Rockingham Memoirs*, vol. i, 129, 132.

[112] Knox, *Extra Official State Papers*, vol. ii, 36 ff.; Grenville, *Papers*, vol. i, 483. Knox uses the term "Louisiana" but from the whole discussion of the subject it is evident he has in mind only East Louisiana.

[113] Knox, *Extra Official State Papers*, vol. ii, 36 ff.; Bedford, *Correspondence*, vol. iii, 133.

bassador waived his objections, and the preliminaries were signed on November 3, 1762. Thus the British ministry had won for the colonies by their negotiations the undisputed possession of the American territory as far west as the Mississippi River. Their error in not insisting upon the cession of New Orleans at the mouth of this great artery of trade was only to become evident in the light of later events.

The peace did not meet the approval of all classes of people. Those who had preferred the tropical trade and the strategic position of the West Indies were bound to pass criticisms upon a treaty based on principles so entirely different. The opposition, particularly the Old Whigs, hoped to make some capital out of this dissatisfaction; but in this they signally failed, because the majority of Englishmen, in spite of their inflated hopes, were glad that the war was finally over, recognized that great advantages had been won, and would have indorsed Benjamin Franklin's enthusiasm when he wrote, "Just to congratulate you on the glorious peace you have made, the most advantageous for the British Nation, in my opinion, of any your annals have recorded." [114]

The criticism of the treaty in Parliament by the opposition followed along the lines which have been already set forth in the discussion of the pamphlet controversy; and the defenders of the treaty did not discover new arguments in its favor. The latter pointed out how necessary it was to remove the French as far

[114] Franklin to Strahan, February 23, in Franklin, *Writings* (ed. Smyth), vol. iv, 191; see also page 197. The opposition even was surprised by the good points in the treaty. Chesterfield wrote to his son that he believed the preliminaries to be "very near the mark." – Chesterfield, *Letters*, vol. iv, 352. Wilkes is reported to have said: "It was the damn'dest peace for the opposition that ever was made." – Neville to Bedford, February 16, 1763, in Bedford, *Correspondence*, vol. iii, 202.

as possible from the English frontiers in order to avoid a future war; but their particular contention was that the indemnification for the recession of the various West Indian Islands was to be found in the opportunity given the colonies "to extend themselves without danger or molestation. They shewed the great increase of population in those colonies within a few years. They shewed that their trade with the mother country had uniformly increased with this population." The variety of climate and the vast resources would act as an irresistible attraction to the people, so that "there was therefore no reason to dread that want of trade which their adversaries insinuated, since North America alone would supply the deficiencies of our trade in every other part of the world." They went further and argued that trade was not the only desideratum: "Extent of territory and a number of subjects are matters of as much consideration to a state attentive to the sources of real grandeur, as mere advantages of traffic." [115]

Such a defense was scarcely needed for it was well known how the vote would go. Henry Fox had seen to that. The majority of the House of Commons for the preliminaries was overwhelming; in the House of Lords there was not even a division. Thus the victory of the ministry was complete; but in order that the criticisms of the opposition should not be justified, they were bound to carry out a policy of expansion which would make use of the broad fields in the West which they had accepted as an equivalent for the rich islands of the West Indies. To this policy they had by their

[115] *Parliamentary History*, vol. xv, 1271-1272. There is a direct answer to these arguments, written evidently by a follower of Pitt, in the *History of the Reign of George III.*, vol. i, 145. The writer is very skeptical of the return in trade that will be obtained from America and is very certain that the increase in population in the colonies must end in their independence.

defense of the terms of the treaty given a pledge; and at the moment there was no disposition among those in power to disavow it. Their own opinions and self-interest united in making a paramount issue of the policy of westward expansion, which they were ready immediately to forward with all their influence.

Shortly after the treaty was concluded a ministerial writer painted in all the colors of the rainbow the splendor of the future West.

> We are now in the heart of their favorite Louisiana, masters of all that mighty project of uniting by traffick, the lakes and the Ohio, the sources of St. Lawrence and the Mississippi, and of cloathing unnumbered nations with our manufactories. By means of the Mississippi, Canada itself is improved; by this communication its peltry, woods and lakes, are made more subservient, and [on] the fertile plains of the Ohio, brought nearer the Southern Ocean, rise now a navigable colony, which otherwise would have remained a mere inland territory and a feeble barrier.[116]

[116] *Reflections on the Terms of Peace*, 7. Edmund Burke, a follower of the Old Whigs and therefore opposed to the peace, wrote in the *Annual Register* (1763), vol. vi, 19: "These exertions [to open up the West] were not likely to be wanting, or to be ineffectual. Independent of national motives, the administration in England had a particular interest in improving those acquisitions to the utmost; they were to justify the choice they had made in preferring them to the West India islands."

III. THE BEGINNING OF WESTERN SPECULATION

It is almost a proverb in this neighborhood [Pennsylvania] that "Every great fortune made here within these 50 years has been by land." – A. MACKRABY to Philip Francis.

The territory which had been added to the British dominions by the treaty of 1763 was of vast extent but was at the time almost unknown by the triumphant nation. Before the outbreak of the war no widely read English writer had taken as his theme this magnificent hinterland with its inviting rivers and lakes, its shaded hills, and sunny prairies; and the popular French books by Hennepin, Lahontan, and Charlevoix had reached only a small circle of readers. So great was the ignorance that few had heard of the small French villages nestling around the Great Lakes or hugging the bank of the Mississippi River, and even the names of the more important towns, New Orleans, Mobile, and Spanish Pensacola, had been almost unspoken in the streets of London. The conquest brought from the British press many publications that somewhat dissipated this general lack of knowledge, but up to the time of the American Revolution the failure of the British public and their ministers to understand the topography of their oversea possessions or to perceive the signal advantages offered by the West was an important factor in retarding the development of a sound colonial policy.

The discussion of the war in pamphlet, book, and periodical awakened the imaginations of the people by

bringing to them a realization of the vastness of the territory which was their prize, but there was a decided tendency in many quarters to underestimate the value of the acquisition which had cost so much in men and money. Canada in particular was looked upon as a region of very slight importance to the empire. In his memorial to the Earl of Bute in 1761, Henry M'Culloh, the well informed secretary and clerk of the crown for North Carolina, pointed out that the chief value of the Canadian province to the French had been derived only from the fisheries and the fur trade, but that if England possessed and fortified the Great Lakes, "the remainder of Canada exclusive of the fishery is not an object of any great moment to this kingdom."[117] Of similar import was the argument of the author of *Reasons for keeping Guadaloupe*,[118] who wrote: "But without dipping too deep in futurity, pray what can Canada yield to Britain, in this or any subsequent age, but a little extension of the furr-trade?" Another writer was also of the opinion that Canada was not of very great value, for it is "situated in a cold climate, produces no commodity, except furs and skins, which she can exchange for the commodities of Europe; and consequently she can have little returns to make the English merchant."[119] Even those who had been in favor of the retention of Canada did not have a different opinion of its resources. In the *Letter addressed to two great Men* it was acknowledged that the trade had scarcely defrayed the expense of the French government.[120] The reasoning of Benjamin Franklin, who had opportunities to inform himself, was

[117] *Miscellaneous Representations relative to our Concerns in America*, 6.

[118] London, 1761, p. 7.

[119] *Remarks on the Letter address'd to Two Great Men*, 36.

[120] Page 30; see also Charles Lee, *The Importance of Canada*; and *Considerations on the Importance of Canada*, etc.

not based on the future wealth of Canada.[121] Of similar character were the descriptions in popular books on America. Jefferys, in his *Natural and Civil History of the French Dominions*, was particularly pessimistic: he described the six months' Canadian winter as extremely cold with very heavy snowfalls and he asserted that limbs were frozen and the skin of the face frequently peeled off by the wind.[122]

The knowledge of the West possessed by the British was even more vague than that of Canada. American traders had been buying furs in the Ohio Valley for seventy-five years, and settlers had begun to find their way across the mountains just previous to the outbreak of the French and Indian War, but neither settler nor trader had brought back information for the reading public.[123] The occasion of the outbreak of the war had made the region of the upper Ohio a household word since many pamphlets were issued from the press in which some account of the territory was given; but in all these the description shows that the author's actual knowledge was confined to the Ohio district and that

[121] "The Interest of Great Britain considered, etc.," in *Writings* (ed. Smyth), vol. iv, 33.

[122] Page 1. Dr. Johnson in 1756 called Canada "a cold, uncomfortable, uninviting region, from which nothing but furs and fish were to be had, and where the new inhabitants could only pass a laborious and necessitous life, in perpetual regret of the deliciousness and plenty of their native country." – *Works*, vol. v, 345. As late as 1770 we read in Wynne, *General History of the British Empire* [vol. ii, 431]: "As for the making of a profitable colony of Canada and Nova-Scotia, that is contrary to nature itself. Unless they [the colonists] live by their agriculture, they can be of no use or service to this nation; but this is certainly not to be expected, either in Canada or Nova-Scotia."

[123] Besides the references given above an examination of the inadequate list of western Indians given in a report in 1749 by Commissioner Lindsay of Oswego will prove that the knowledge of the West obtainable on the frontier of New York was very meager. See New York *Colonial Documents*, vol. vi, 538.

his meager information about the vast territory beyond was gained from French books.[124] One Englishman, Dr. John Mitchell, had made, however, a careful study of the West, and the best account of the region is in the volume ascribed to his pen, *The Contest in America between Great Britain and France.*

The information about the West increased as there appeared from the British press one book after another, most of them containing maps based on earlier French surveys. Translations of French books were printed: Charlevoix's *Journal* was published in 1760 and again in 1761, and Du Pratz's *History of Louisiana* appeared in 1763. In August, 1761, the *Gentleman's Magazine* contained a history of Louisiana and in June, 1763, a long description of the region. The books which were regarded as summing up the most authentic information about the Mississippi Valley were Jefferys's *Natural and Civil History of the French Dominions* (1761), and *The American Gazeteer* (1762), 3 volumes.[125]

The feature of the West which seemed to Englishmen most interesting was the expansive water system as it was displayed on the maps of the period. The Great Lakes and the River Mississippi with its numerous branches seemed to extend an invitation to all those daring spirits who would seek homes in the wilderness. The earlier cartography was naturally very faulty. The course of the Ohio was set down very incorrectly and made to run in such a way that it divided the West into two very unequal parts and left to the north not more than half of the great territory which was to be-

[124] See "Bibliography" for a list of these.

[125] This last was translated into Italian and published in 1763 at Leghorn under the name of *Il gazzetiere americano.* Other books of similar kind are noted in the "Bibliography."

come the state of Ohio. This misconception of the true course of the river lingered long among the public and was not without influence on the development of a western policy by the ministry.[126] From these maps the most tempting places for settlement seemed to be the Illinois country, Detroit and vicinity, and the lower Mississippi around Natchez.[127]

The books and pamphlets show a surprising igno-

[126] This is characteristic of all the contemporary maps, in which also there is too wide a space between the Mississippi and Lake Michigan. The maps which I have had the opportunity of examining critically were all based on three original English ones with additions particularly in the West from the French maps. These are:

1. Henry Popple's *Map of the British Empire in America with the French and Spanish Settlements Adjacent Thereto* (London, 1732, 1733, 1740). As far as the West is concerned, this is based on Delisle's maps and contains his errors in making the Ohio run too close to Lake Erie. The map printed in the *Gentleman's Magazine* for 1763 [vol. xxxiii, 284] is based on Popple's.

2. John Mitchell's *Map of the British Colonies in North America with the Roads, Distances, Limits, and Extent of the Settlements* (London, 1755). This was the most popular of the contemporary maps and was repeatedly reproduced. It was indorsed by the Board of Trade and was used by them to exhibit boundary decisions, as for instance in the case of the Quebec Act. (This is reproduced in the Michigan *Pioneer and Historical Collections*, vol. xxxvi.) Contemporary maps based on Mitchell are in *Annual Register* for 1763; in Charlevoix's *Journal*, English translation (Dublin, 1766); in *Gentleman's Magazine*, for 1755 [vol. xxv, 296], and for 1763 [vol. xxxiii, 477]. This last seems to be made up from Mitchell's and Popple's.

3. Lewis Evans's *General Map of the Middle British Colonies in America* (Philadelphia, 1755).

[127] Jefferys in *Natural and Civil History of the French Dominions* [137-141] writes that the soil of Illinois is very fertile, especially for grain; that the silver and lead mines are very rich; and there are copper mines near the mouth of the Illinois River. In 1773, Patrick Kennedy made an expedition up the Illinois River in search of this copper mine. See Kennedy's *Journal*, etc., printed in Hutchins, *Topographical Description* (ed. Hicks), 122. Wynne in 1770 [*General History of the British Empire*, vol. ii, 401, 407] writes of Louisiana (meaning south of Ohio): "If we compare this with the barren deserts of Canada and Florida, what a wide difference is there!" He urges a colony at Natchez. See a similar statement by Dr. Mitchell in *Present State of Great Britain*, 253. For a glowing tribute to the fertility of Illinois by a writer see *The Expediency of Securing our American Colonies*, published in 1763, reprinted by Alvord and Carter, *The Critical Period* [Illinois *Historical Collections*, vol. x], chap. iii.

rance of the settlements of the French in the region. The books of Hennepin, Lahontan, and Charlevoix, from which the British authors usually gleaned their information, were written before the period of most active French settlement, and so the public and even the ministers were led by the popular press to believe that the number of inhabitants in the West was so small as to be negligible and that even these few would follow their flag across the Mississippi.[128] An evidence of this inadequate information in England is furnished by the maps of the period of the peace negotiations; on no one of these does the French village and trading post of Vincennes appear, though on a few of them there is a French fort inaccurately located at the mouth of the Wabash. In the map printed in the *Gentleman's Magazine* for June, 1763, even the River Wabash is omitted. The first comprehensive view of the relatively important settlements of the Illinois country was derived from the letters of British officers who visited the villages in 1765.

On account of this widespread ignorance of the territory that had been secured by the war, it is not surprising that there was a tendency to underestimate its worth, a tendency which can not be explained on purely political grounds. Doctor Samuel Johnson was a partisan writer on the side of those who had negotiated the peace and it is therefore probable that he was expressing a popular not a political opinion when he wrote that "large tracts of America were added by the last war to the British dominions," but that they were at best "on-

[128] This is found in the correspondence of the period; and even Major Rogers, who traveled extensively throughout the West, thought Illinois would be entirely deserted by the population. *A Concise Account of North America*, 193. It was not generally known that France had ceded western Louisiana to Spain.

ly the barren parts of the continent, the refuse of the earlier adventurers, which the French, who came last, had taken only as better than nothing."[129] William Knox, also an apologist of the peace, whose long experience as under-secretary for the colonies gave him an intimate knowledge of America, wrote as late as 1789 that the Americans could not settle the western territory for ages, that for this reason it must be given up to barbarism like the plains of Asia, and that the population would be as unsettled as the Scythians and Tartars.[130]

The party of the expansionists was, on the contrary, enthusiastic over the results of the war and, as has already been seen, expected the empire to reap rich rewards for her victories. Benjamin Franklin was among those who looked with hope into the future and saw as in a vision the valleys of the West teeming with a flourishing population, which would add to the strength and wealth of the mother country, though he did not look for the fulfilment of this dream until after the lapse of "some centuries."[131] Doctor John Mitchell had a similarly optimistic view. In 1757 he wrote:

> The great thing to be considered by all states is power and dominion, as well as trade. Without that to support and protect our trade, it must soon be at an end. But if we consider the vast extent of those inland countries in North America, and the numbers of natives in them, with the still greater numbers of people they must maintain, the power they must necessarily give to any state possessed of them must appear to be very great.[132]

[129] Johnson, *Works*, vol. v, 414.

[130] Knox, *Extra Official State Papers*, vol. ii, 49 ff.

[131] Franklin, *Writings* (ed. Smyth), vol. iv, 55.

[132] *Contest in America*, p. xvii. Major Rogers's *Concise Account of North America* (1765), written by a man who personally knew the West gave to the readers an adequate conception of the great fertility of the region.

Of Florida almost nothing was known. There never had been much trade between this Spanish region and the British colonies; and it was ceded to Great Britain at the last moment just before the preliminaries were signed, so that no opportunity had been given to gather information regarding the territory.[133] A well-informed writer is authority for the statement that as late as 1783 members of the ministry who made the treaty of peace of that year and most of the members of Parliament had very indifferent knowledge of the country lying along the gulf coast.[134] On the whole the English people were of the opinion that they had made a very bad exchange for Havana.[135] Every attempt was naturally put forth after the treaty of peace to collect information on the country and many publications about it were issued with the sanction of the government.[136]

Making due allowance for the partisan bias of the supporters of the peace, it may be taken for granted that the majority of Englishmen were either wholly indifferent about the new acquisitions or were skeptical about their value to the empire. Such was not the case, however, in America, where a popular financial interest in the transmontane territory had been recently developed.

[133] In January and November, 1763, the *Gentleman's Magazine* printed short accounts of Florida. In a *Review of Pitt's Administration*, 1763 [p. 5], we find the following: "What then did England gain by the honesty, the vigilence and wisdom of Mr. Pitt; Canada, an almost barren province; Florida, a sandy desert." In the debate in the house in November, 1763, Beckford compared the barrenness of Florida to Bagshot Heath. See Walpole, *Memoirs of George III.*, vol. i, 174.

[134] Wraxall, *Memoirs*, vol. ii, 427.

[135] Mitchell, *Present State of Great Britain*, 253. This author has no good word to say for the Floridas.

[136] Consult the *Gentleman's Magazine* (1763), vol. xxxiii; also Roberts, *An Account of the First Discovery and Natural History of Florida* (London, 1763). See also "Knox Manuscripts," in Historical Manuscripts Commission, *Report on Manuscripts in various Collections*, vol. vi.

From the end of the seventeenth to the middle of the eighteenth century the British colonies, contented with the profits of the Indian trade, made no general effort to secure by settlement the possession of the Mississippi Valley. Lands were still plentiful along the seacoast, and it was not until almost a hundred years had elapsed after the founding of Jamestown that the colonists first pushed beyond the line of the falls of the rivers and began to clear for themselves homes in the uplands. When the fall line was finally crossed, settlement moved rapidly, the colonial population being augmented by the influx of the Scotch-Irish and Germans;[137] lands began to grow valuable and attention was more generally given to securing large holdings to be colonized with foreigners, or, as was often the case, to be held until the clearing of the surrounding tracts should make them valuable. By the middle of the eighteenth century all the particularly desirable lands in many of the old colonies had been engrossed, and new comers were forced to cross the Appalachian divide in search of farms.[138]

In the unbroken wilderness across the mountain the speculators were in advance of the actual home maker. The historic muse has always delighted in singing of the daring deeds of the explorer wandering through the dark forest or paddling his canoe on unknown rivers; and even the homesteader, with family goods packed in his prairie schooner, has had his exploits chanted in majestic measures; but few have noted the

[137] See the interesting figures in *State of British and French Colonies*, 136, 137. The best modern account of this movement is found in Turner, "The Old West," in Wisconsin Historical Society, *Proceedings*, 1908, p. 184.

[138] On November 5, 1761, the Board of Trade reported that the increase of population in the old colonies was such "as scarce to leave room in some of them for any more inhabitants." *Calendar of Home Office Papers, of the Reign of George III.*, vol. i, 75.

fact that both explorer and homesteader were frequently only the advance agents of the speculator who dreamed of large enterprises in land exploitation – that the Daniel Boones of the wilderness were only the pawns of some Richard Henderson. From that distant date when Joliet and La Salle first found their way into the heart of the great West, up to the present day when far-off Alaska is in the throes of development, "big business" has been engaged in western speculation. The Mississippi Valley has been explored, cleared, and settled in large measure through the enterprise and financial boldness of moneyed men who have staked fortunes in opening up the successive lines of the American frontier.

Bold speculation was one of the characteristics of the eighteenth century. That restless business energy which manifested itself after the close of the Civil War in England continued to be one of the active forces in the nation during the succeeding generations. Intruding itself into the affairs of state it soon taught politicians that they must shape their policies by its needs, so that by the middle of the eighteenth century there had developed an alliance between "big business" and the governing class which fostered a political immorality that resembled in its salient characteristics the similar phenomenon which has shown itself so plainly in the United States. In the American colonies the speculative enterprise of the mother country naturally had its influence, and the men of America allied themselves with the British moneyed classes in business operations which were practically limited by conditions and colonial laws to the sale of merchandise and land speculation – in the West to land speculation and the fur trade.

The earliest attempts to form settlements in the West were due entirely to this speculative enterprise. Since Virginia had extensive charter claims in the region across the mountains the first undertakings naturally were conceived in that colony.[139] In 1747 the Ohio Company, in which prominent Virginians were allied with important financiers of Great Britain, petitioned for five hundred thousand acres of land situated on the upper Ohio. This grant was to be thus divided: first two hundred thousand acres were to be granted on condition that the company settle two hundred families upon the same in seven years and erect a fort and maintain a garrison; and the remainder was to be granted on condition that three hundred more families be established there within the next seven years.

This petition was favorably received by the Board of Trade which reported its opinion that the settlement of the country westward of the mountains in the colony of Virginia would be for his majesty's advantage and for the security of the colonies, since the colonists would carry on an extensive trade with the Indians and also hinder the occupation of the country by the French. In accordance with this report, on March 16, 1748, Sir William Gooch, at that time lieutenant-governor of Virginia, was ordered to make the grant.[140] Having thus obtained the imperial sanction for the project the company immediately began operations; Christopher

[139] For the early projects of the settlement of the West see House of Burgesses, *Journals*, consult index; Hening, *Statutes at Large*, vol. v, 79; vol. vi, 208, 351.

[140] "Proceedings of the Ohio Company," in *Lansdowne Manuscripts*, vol. 1, 93. "Report of the Board of Trade," June 26, 1767, in Public Record Office, *Colonial Office Papers*, 5.24, p. 291. Consult also *The Conduct of the Ministry* (1756), 19 ff.; Dinwiddie, *Official Records*, vol. i, 17, *footnote* 23; "The Ohio Company," in Craig, *The Olden Times*, vol. i, 291 ff. The most important papers are published in Fernow, *The Ohio Valley in Colonial Days*, 240 ff.

Gist was sent to the region to make surveys;[141] goods were transported across the mountains for use in trade with the Indians; and settlements were begun. The company from the first found itself beset with difficulties, arising not only from that lack of knowledge and experience to be expected in a new undertaking but also from the jealousies of local politics, for the government of Virginia always fearful of some infringement on its western rights by the imperial government, threw all the obstacles it could in the way of the enterprise.

Moreover, Virginia had already begun on her own account to make land cessions in this western region. The first concession of one hundred thousand acres on Green Brier River was made on April 26, 1745, to John Robinson and others. Other grants followed in rapid succession.[142] According to the report of the Ohio Company, as soon as the news of the negotiations with the company reached Virginia, the governor and council increased the number of these gifts, some of which threatened its rights. In 1754 the Ohio Company presented to the king another petition setting forth an account of the governor's activities and requesting that certain boundaries which they named might be established for their tract. The Board of Trade thought that the territory thus described was too large and so reported. At the time of the outbreak of the war no action had been taken by the Privy Council, and thus the matter rested until the question of the dominion over the West should be decided by force of arms. The ministry, however, had not changed their opinion of

[141] See Christopher Gist's *Journals*, 228, 231.

[142] There is an authenticated list of these Virginia grants in the Historical Society of Pennsylvania, *Ohio Company Papers*, vol. i, 87, and a similar list is printed in the Virginia *Magazine of History and Biography*, vol. v, 175 ff., 241 ff.

the importance of settling the region, for on August 27, 1754, the king instructed the Virginia government to grant lands west of the Alleghanies in lots of one thousand acres, free from the payment of quitrents for ten years and without the usual fee of five shillings for each fifty acres,[143] and by 1757 Virginia had granted about two million acres in this region. Among these the most important was the cession in 1749 of eight hundred thousand acres along the northern boundary line of North Carolina to the Loyal Company, among whose members were John Lewis and Thomas Walker, both of whom played an important part in the later complications on the frontier. This grant was afterwards considered illegal, but the members of the company never ceased their agitation for what they regarded as their rights.[144]

At the time of the open rupture with France upon the Ohio waters, further cessions were made by Virginia. In order to promote the enlistment of men in the colonial troops, Governor Dinwiddie of Virginia issued a proclamation on February 9, 1754, in which he promised "that over and above their pay 200,000 acres of his Majesty the King of Great Britain's lands on the East side of the River Ohio shall be laid off and granted to such persons who by their voluntary engagements and good behavior in the said service shall deserve the same."[145] This proclamation was the basis for the later claims of the Virginia soldiers, in whose rights George Washington became so much interested.

The preparations of Virginia to extend her dominion

[143] *Ohio Company Papers*, vol. i, 87. *The Conduct of the Ministry* (1756), 23.

[144] *Statement for the Petitioners in the Case of the Walpole Company Grant* (pamphlet without title-page), appendix i, 1.

[145] Public Record Office, *Colonial Office Papers*, 5.1330, pp. 323-330.

over the rich western territory by actual occupation were watched with increasing jealousy by the men of other colonies, who were far from being satisfied with a policy that would place in the control of any one province the exploitation of such a vast and valuable region. It is therefore not strange that any plans promoted by them should assume the form of a limitation of the territory of Virginia by the erection of independent colonies. The city of Philadelphia in particular was very much interested in the disposition of the West, which was well known there from the accounts of her merchants who at an early date had sent their fur-trading representatives across the mountains.[146] These traders, it was said, were so hostile to Virginia that they were the chief agents in arousing among the Indians fears of the threatened encroachments on their hunting-grounds and were therefore the real instigators of the war, because the French were induced to enter the valley of the Ohio by the clamor of their Indian allies.[147]

Under the stimulus of increasing opportunity it was not long before citizens of Philadelphia also formulated plans for entering the arena of westward movement. The protagonist of these enterprises was Benjamin Franklin whose ideas were seconded by the most famous colonial map-maker of the day, Lewis Evans. Franklin suggested to the Albany conference of 1754 that new colonies be established and his project received the indorsement of both Thomas Pownall and Sir William Johnson and was incorporated in the Plan of Union as

[146] See Hanna, *Wilderness Trail, passim.*

[147] The history of the Quaker traders' attitude towards the Indians and the westward settlements is a very problematical one. Terrible charges were made against them, but the proof is not very satisfactory. See the sarcastic remarks about similar charges of a later date made by Benjamin Franklin. Franklin, *Writings* (ed. Smyth), vol. iv, 222.

"a matter of considerable importance to the increase of British trade and power, to the breaking of that of the French, and to the protection and security of our present colonies."[148] Later Franklin drew up in accordance with his ideas a plan for the establishment of two colonies between the Ohio River and Lake Erie.[149] At about the same time Governor Pownall proposed to Lord Halifax, the president of the Board of Trade, a similar scheme of barrier colonies. He urged that England take "one large step over the mountains, with a numerous military Colony."[150] In a memorial to the Duke of Cumberland in 1756, he again emphasized the necessity of such a policy. "I should imagine," he wrote, "that two such [colonies] were sufficient, and only requisite and proper: one at the back of Virginia, filling up the vacant space between the Five Nations and southern confederacy, and connecting, into one system, our barrier: The other some where in the Cohass on Connecticut river, or wherever best adapted to cover the four New England colonies."[151]

These suggestions for the disposition of the great valley, though not developed at this time in a more concrete form, were only the expression of the prevailing belief, shared by those who were watching the conditions most closely, that a great movement westward must soon take place. The same thought was put forward by Lewis Evans in a pamphlet, the *Analysis*, which was written to accompany his *Map of the Middle British Colonies* and at the same time to urge the erection of colonies in the Ohio Valley.[152]

148 Franklin, *Writings*, vol. iii, 206.

149 — *Idem*, 358.

150 Pownall, *Administration of the Colonies*, vol. ii, 230 and *footnote*, 174, 217.

151 — *Idem*, 231.

152 Lewis Evans, *Geographical, Historical, Political, Philosophical and*

With so much speculation concerning the immediate division of the West into independent colonies, it is not surprising that a concrete proposal to undertake such an establishment was soon made. A Philadelphia merchant by the name of Samuel Hazard read an article on the means of settling a colony in the Ohio Valley, which was written by Franklin "to divert the Connecticut Emigrants from their design of invading" Pennsylvania. Hazard adapted this plan to his purposes and proposed to himself to become by a grant from the crown a lord proprietor of a colony in the great valley.[153] The boundaries of his proposed domain were "to begin at the distance of one hundred miles westward of the western boundaries of Pennsylvania, and thence to extend one hundred miles to the westward of the River Mississippi; and to be divided from Virginia and Carolina by the great chain of mountains that runs along the continent from the northeastern to the southwestern parts of America."[154] Only orthodox Protestants were to settle there and no person was to "be obliged to pay anything towards the support of a minister of whose congregation he is not a member, or to a church to which he does not belong." In May, 1755, Hazard made application to the assembly of Connecticut for a release of its claims, which was granted, "provided the petitioners obtain his Majesty's royal grant." In spite of Franklin's unfavorable opinion of him, Hazard managed to persuade several thousand persons of Pennsylvania and New Jersey to promise to

Mechanical Essays: the first containing an Analysis of a General Map of the Middle British Colonies in America, etc. (Philadelphia, 1755). This work of Evans was popular and was frequently quoted by land speculators.

[153] Franklin, *Writings* (ed. Smyth), vol. iii, 265.

[154] 4 *American Archives*, vol. i, 861; Gist's *Journals*, 261 ff. For a longer account and other references, see Alden, *New Governments West of the Alleghanies*, 7 ff.

follow him into the wilderness. After an exploratory expedition to the westward he made his preparations for a voyage to England to obtain the royal consent to his undertaking, but just as he was on the point of embarking, he died.[155]

The French and Indian War brought to a close all immediate plans for planting settlements on the frontier and forced the few settlers on the Ohio waters to seek refuge in the East. No new projects were started until the capture of Fort Duquesne, November 28, 1758, made possible another westward advance of the British colonies. In Virginia there was a reawakening of interest in the Ohio Company and among the various individual grantees. Also in New Jersey, one of the provinces opposed to the claims of Virginia, a new plan was formulated. Little is known of the enterprise except that it was proposed to make application, as soon as peace was concluded, for a charter for a colony on the Ohio, which was to honor the hero of the war by being baptized Pittsylvania.[156]

The foregoing narrative of events has made evident that the view of the West prevailing in America differed greatly from that commonly held by the public in the mother country. To Englishmen, except a few interested politicians, that region may have seemed like a barren waste and a profitless wilderness, but to Americans it was a land of promise offering boundless opportunities to their ingenuity and enterprise. Conditions had become favorable for a general westward movement. Settlements had already climbed the east-

[155] Later General Phineas Lyman united the supporters of Hazard's plan with one of his own. Still later, in 1774, Ebenezer Hazard, a son of Samuel, appealed unsuccessfully to Connecticut for the land comprised in his father's proposed colony.

[156] Maryland *Gazette*, March 22, 1759.

ern slopes of the mountains; bold speculators and hardy pioneers, looking with longing eyes at the lands beyond, were preparing to take the plunge into the woody valleys of the Ohio waters; they were the advance guard of that mighty host of emigrants which was to march with irresistible force across the great inland valley, scale the Rocky Mountains, and take possession of the golden West.

When the treaty of peace was announced and it became known that the British flag was to wave over all the territory between the Alleghanies and the Mississippi River, the imaginations of the speculative colonists were still further aroused; they conceived of greater undertakings and began laying out the territory into several settlements or independent colonies. This land craze, which had been brewing for several years, was as yet confined to America, although a few Englishmen were already familiar with the possibilities of western speculation. The number of moneyed men in the mother country in alliance with these new enterprises must, however, be increased and especially must connections be established with those financiers who were in close touch with the government before the question of the development of the West could become a paramount issue in British imperial politics. The men who had been restlessly waiting for their opportunity were quick to perceive this necessity and made their preparations to send agents to England to win over to the idea of extensive colonization the men of financial and political influence.

The first to be ready for the coming political campaign were the Virginians. The soldiers, who had been promised by the proclamation of Governor Dinwiddie compensation in western lands, united to promote their claims. Colonel George Washington had

his own interest in these donations and became the principal advocate in pressing the rights of his companions in arms. Under his leadership the claimants sent to the king a petition which was read by the Board of Trade on March 2, 1763.[157] The Ohio Company also did not delay in sending a representative to England. They chose Lieutenant Colonel Mercer, who sailed on July 8, 1763.[158] Another claim of a different character and of a later date was that of the merchants, mostly of Pennsylvania, who had suffered severe losses by the unexpected outbreak of the Indian War which followed the treaty of peace between France and England. They now desired compensation for their losses by a grant of land in the West and to this end they sent a memorial to the Lords Commissioners for Trade and Plantations.[159]

Besides the promotion of these older claims, new plans for founding extensive settlements were being discussed in various parts of the East. On June 3, 1763, a number of gentlemen of Maryland and Virginia, among whom were numbered the most prominent men, such as George Washington, the Lees, and the Fitzhughs, founded the Mississippi Company. The object was to obtain from the crown two million five hundred thousand acres of land on the Mississippi River, beginning one hundred twenty miles above the Ohio, thence to the Wabash, up the Tennessee one hundred fifty miles above the juncture with the Ohio, thence to the Mississippi; within these boundaries each of the fifty adventurers was to have fifty thousand acres for his own. It was hoped to obtain the land free from fees, quitrents, and taxes for the period of twelve years. In return the company was to undertake to settle two hundred families. On September 9 the company met

[157] Public Record Office, *Colonial Office Papers*, 5.1330, p. 323.

[158] Johnson to the Board of Trade, July 8, 1763, in *idem*, 511.

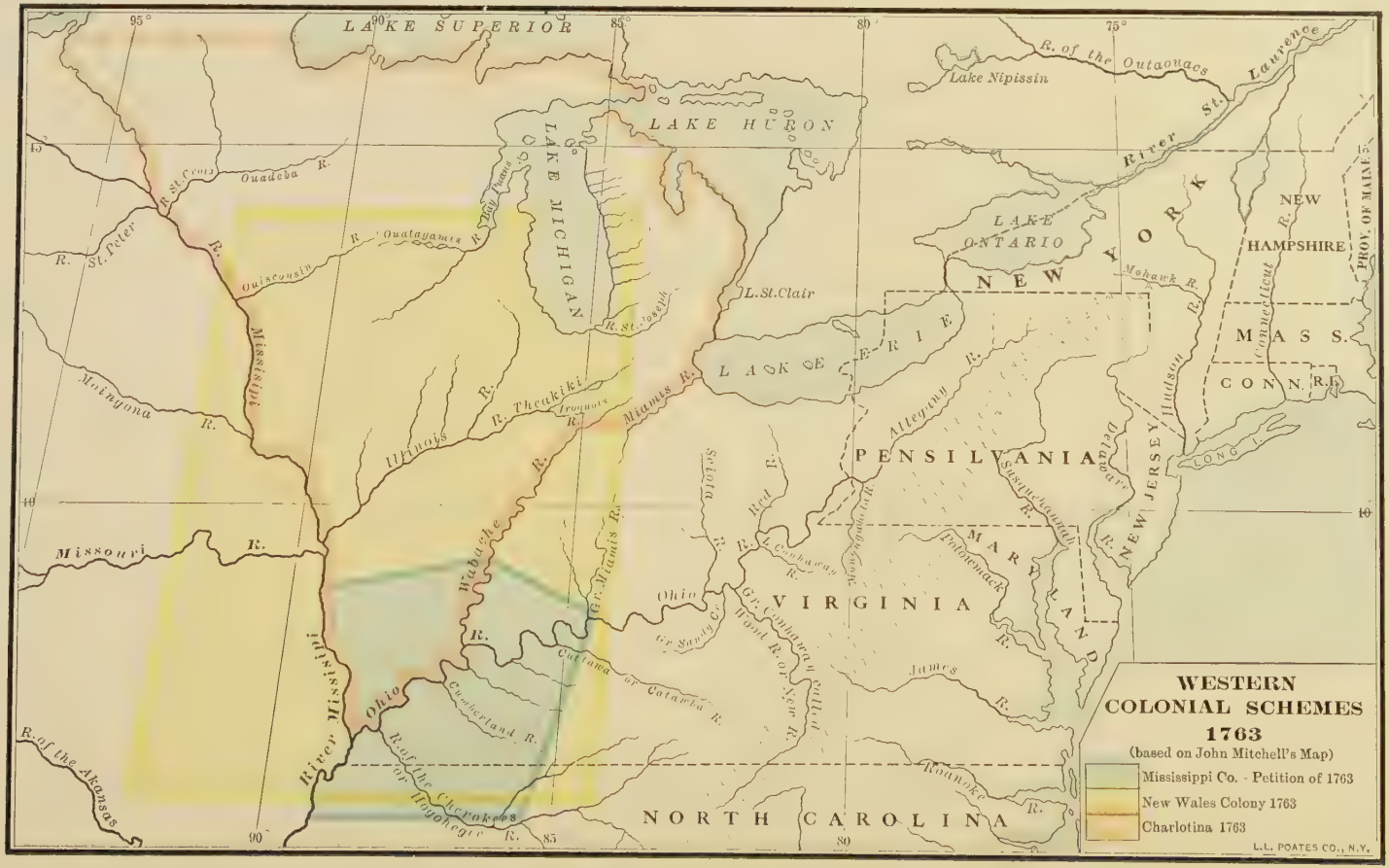
[159] — *Idem*, 5.65, p. 325.

and approved a memorial to the king. This was sent to Thomas Cumming who was asked to act as agent and to join the company; he was also instructed to secure the coöperation of nine other prominent Englishmen.[160]

A somewhat similar plan with different details must have been started in Philadelphia about the same time. In 1626 King Charles I. had granted to Sir Robert Heath land to the south of Virginia. This grant had been acquired by Daniel Coxe who in the latter part of the seventeenth century made plans to plant a colony on the Mississippi. He did not receive adequate encouragement from the government and the enterprise resulted only in the publication of a pamphlet entitled *Carolana*. The descendants of the family now proposed to Benjamin Franklin and some associates that they purchase the title to the land, obtain its renewal, and settle a colony on the proposed site. Franklin, who was always interested in such speculations and engaged in successive schemes to make his fortune out of the exploitation of the West, entered into this proposition with earnestness. The correspondence does not reveal those who were associated with him, but probably they were the same merchants who were united with him in later projects, Baynton and Wharton, and possibly Galloway. Richard Jackson, the agent for Pennsylvania, accepted the invitation to join the company and began to search in the archives at London for the papers although he thought Coxe's title was a very doubtful one. Before any definite steps were taken, however, conditions in the ministry had changed and the project was dropped.[161]

[160] "Mississippi Company Papers," in Public Record Office, *Chatham Manuscripts*. The memorial is printed in Carter, *Great Britain and the Illinois Country, 1763-1774*, pp. 165 ff.

[161] Jackson to Franklin, November 12, December 27, 1763, and an undated fragment in Franklin, *Papers*, vol. i, 83; vol. lviii, 114 (fragment) D.


LAKE SUPERIOR
LAKE HURON
LAKE MICHIGAN
LAKE ONTARIO
L. St. Clair
Lake Nipissin
R. of the Outaouacs
River St. Lawrence
Ouadeba R.
R. St. Croix
R. St. Peter
R. Ouiscousin
R. Ouatayamek
R. Mississippi
R. St. Joseph
R. Theakiki
Illinois R.
Miamis R.
Maingona R.
Missouri R.
Hubache R.
Gr. Miamis R.
Ohio
Gr. Sandy C.
Gr. Conhawa R.
Wood R. or New R.
Cuttawa or Catawba R.
Cumberland R.
R. of the Cherokees or Hogohegee R.
River Mississipi
R. of the Akansas
Iroquois R.
Sciota R.
Red R.
Alleganey R.
Susquehannah R.
Delaware R.
Hudson R.
Connecticut R.
Mohawk R.
Roanoke R.
James R.
Potomack R.
LONG I.
PENSILVANIA
NEW YORK
NEW HAMPSHIRE
PROV. OF MAINE
MASS.
CONN. R.I.
NEW JERSEY
MARYLAND
VIRGINIA
NORTH CAROLINA
95°
90°
85°
80°
75°
45
40
WESTERN COLONIAL SCHEMES
1763
(based on John Mitchell's Map)
Mississippi Co. - Petition of 1763
New Wales Colony 1763
Charlotina 1763
L.L. POATES CO., N.Y.

Land speculators of New York were equally ready to speculate in land and made preparations to settle a new colony on the upper Ohio to be called New Wales in honor of the Prince of Wales. To finance the undertaking it was proposed that three hundred thousand acres be sold to the proprietors at the rate of fifty pounds for one thousand acres. Preparations to launch the enterprise were all made and an advertisement for men willing to move to the West was printed in New York and elsewhere. The plan was popular and became a general topic of conversation in several of the colonies.[162] It was at about this time that Charles Lee, inspired by the general speculative movement, formulated his plan for the erection of two colonies, one on the Ohio below the Wabash and the other on the Illinois. His intention was to form a company, to secure grants from the king, and to find settlers in New England, Germany and Switzerland.[163]

Although Colonel Bouquet, while stationed at Fort Pitt, prohibited settlers from establishing themselves on the Ohio lands, he was by no means opposed to western expansion. During his campaign against the Indians he had good reason to take into serious consideration the proper means of defending the frontier, and under his supervision one of his officers drew up a paper on the subject of Indian warfare in which a military settlement for the protection of the frontier

[162] The New York paper, April 21, 1763, has not been found but the item was reprinted in the *Gentleman's Magazine* for June, 1763 [vol. xxxiii, 283, 287]. Upon reading this notice P. Collinson of London, interested in investments, wrote to Benjamin Franklin for information. See American Philosophical Society *Franklin Papers*, vol. i, 75. Sir William Johnson wrote: "This was publicly talked of throughout the whole country, and soon circulated amongst the Indians."– New York *Colonial Documents*, vol. vii, 959.

[163] *Lee Papers*, vol. iv, 214, in New York Historical Society, *Collections*, 1874.

was proposed.[164] There is reason to believe that Bouquet had serious thoughts of promoting a colony in the Old Northwest; at least he wrote to Franklin about "when you and I settle our colony upon the Scioto," and again "I wish the plan of a military frontier would be put in execution."[165] Bouquet was not the only military officer interested in the question of frontier defense by colonies. On November 30, 1762, General Amherst wrote to the Earl of Egremont, secretary of state, recommending that Detroit be made a "separate government," and advising less earnestly that the same policy be followed at Crown Point and Niagara.[166]

The probable connection between the publication of a pamphlet entitled *Expediency of securing our American Colonies by Settling the Country adjoining the Mississippi* which appeared in Edinburgh in the fall of 1763,[167] and some one of these enterprises has not been discovered. The writer advocated the establishment of a province to be called Charlotina which

[164] The officer was Thomas Hutchins. The paper was printed in *Historical Account of Bouquet's Expedition* (1907), 98.

[165] August 22, 1764 in American Philosophical Society *Franklin Papers*, vol. i, 94.

[166] *Lansdowne Manuscripts*, vol. xlviii, 417.

[167] Its date falls between October 7, the date of the proclamation of 1763, and end of November, for its publication is mentioned in *Scot's Magazine* for that month. It is reprinted in Alvord and Carter, *The Critical Period* [Illinois *Historical Collections*, vol. x], chap. iii. The Scotch were particularly interested in the colonies at this time, and the pamphlet may have been written by some person wholly disconnected with the land companies or the factions. Its publication in Edinburgh, however, suggests a follower of the Earl of Bute as the author. Since the policy advocated in the pamphlet is entirely in accord with his, this guess seems to have some probability. The following paragraph from the *Caledonian Mercury*, July 20, 1763, is of interest: "Extract of a letter from London July 16. . . It is said a great number of discharged soldiers and seamen are soon to embark for America, in order to settle in some of our acquired colonies especially on the river Mississippi. They are to receive a royal bounty for their subsistence and for purchasing materials . . . and are to be exempted from all . . . taxes and rent."

should extend from the Ohio and Mississippi to the Great Lakes, in order to protect the older colonies from French intrigues. He had studied the account of the Mississippi Valley in Du Pratz's history and had become enthusiastic over the natural resources of the country. Like Franklin, he looked forward to the time when the English people would fill all the territory to the Mississippi and thus add to the strength and dominion of Great Britain.

Most of these plans for colonies which were proposed immediately after the close of the war were of an ephemeral character and scarcely left a ripple on the politics of the mother country. Still the fact that so many schemes were born at this time was significant and without doubt had its influence upon the public opinion of Great Britain. At least sufficient interest had been aroused to call forth one pamphlet from a Scottish press and these beginnings in western speculation were but the harbinger of a growing popular appreciation of the potential wealth existing in the new acquisitions. The time was approaching when the future of the Mississippi Valley would become a subject of moment among financiers of Great Britain and would prove to be an issue of sufficient importance to force at least one minister out of the cabinet.

IV. THE EARLIER WESTERN COLONIAL POLICY OF GREAT BRITAIN

The rulers of Great Britain have, for more than a century past, amused the people with the imagination that they possessed a great empire on the west side of the Atlantic. This empire, however, has hitherto existed in imagination only. It has hitherto been, not an empire, but the project of an empire; not a gold mine, but the project of a gold mine. – ADAM SMITH.

The inevitable clash of the red men and the Europeans upon the American continent could not be avoided by the wisest legislation, and the logic of history was fulfilled in the occupation by the better endowed people of the territory so inadequately utilized by the inferior race. This process could only have been permanently checked by rolling back the inexorable forces of natural law. To attempt this was foolishness; the destiny of the West could not be thwarted. The population in cities, towns, and rural communities that today fill the great valley of the Mississippi, making it one of the happiest and wealthiest spots on the globe, was already held in the womb of Nature and the appointed period was rapidly approaching. Man-made law and governmental policy could not delay the day of delivery, let the visionless politicians of the Old World confer as much as they would. The inevitableness of this westward movement of the population was imperfectly understood in Great Britain, and so the tendency was to treat each recurring crisis caused by the throes of Nature as mere eruptions of lawlessness which might

be cured by opportunist treatment. The consequences of this superficial diagnosis were prescriptions inapplicable and ill suited to the condition. There were several efforts made to take a larger view of the situation and to discover a remedy more inclusive and healing, but the opposition of special interests and the general inertness of British politicians were too powerful to be overcome.

The historian's duty does not include within its sphere the meting out of censure or blame upon the men of the past, but he is called upon to elucidate by every means in his power the principles and motives underlying the thought of the actors in the historical drama. The performance of this latter duty can frequently be best accomplished by clearing his own and his readers' views of possible misconceptions by a reference to the conditions existing then and now. The men of the past were working on a new problem offered for their solution, the men of the present are illumined by the experience of generations. The obstacles that made hopeless the formulation and execution of a permanent policy for western America could not be visualized by eighteenth-century politicians; they can be by the citizens of the United States who have behind them that "century of dishonor" when the nation miserably failed to establish an equitable balance between the rights of the natives and the justifiable land needs of a growing frontier population. All the greater credit is, therefore, due the few men who now and then caught a fleeting view of the true situation before the successive blunders in the East, committed by various British administrations, had brought on the war that transferred to the control of a new nation the western territory and its problems.

The wider and better perspective of to-day makes it possible to analyse the conditions that existed in the past and to appreciate clearly the almost insurmountable obstacles that confronted the ministries which from 1748 to 1774 made vain efforts to find their way through the labyrinth formed by Indian rights, fur-trading companies, frontier settlers, rival land companies, imperial interests, colonial charters, and those other forces, latent and active, which lay within the western domain. In order that these various complexities may be better understood, it will be necessary to interrupt the narrative with a general discussion of the problem so that there may be a better appreciation of those conditions which made every British ministry during a quarter of a century hesitate to bring to the issue their western colonial policy.[168]

Before 1748 the year in which the Privy Council passed upon the petition of the Ohio Company, no attempt to formulate a western colonial policy that was imperial in its nature had been made. The British government had preferred to leave all questions concerning the Indians, the fur trade, and the land to the judgment of the governments of the American dependencies with the result that various systems had been developed, under which the aborigines had been continually robbed of their land and cheated in trade. During the first colonial war of the reign of King George II., it

[168] I have attempted in the following paragraphs a general sketch of this kind. The basis of such generalizations as these must be the course of events itself; the whole volume, therefore, is a proof of these statements and no attempt is made to cite references for the conclusions here given. References would be of little avail, for no contemporary author had the requisite data to mark out the lines of division. Occasionally I have found some direct statements that have assisted me, but for the most part it has been necessary to reason back from the events to the motives – a common enough experience to the historian – rather than the reverse.

was learned that the dishonesty of the colonials in their dealings with the Indians had created a fear of the English and a consequent hostility to them that was felt even by the natives in the most remote regions of the Ohio Valley. Only after the close of that war, when the threatening clouds of a new struggle were gathering in the western sky were the first tentative efforts made to bring some system out of the chaos of colonial control. If the ministry were intending to follow up their action in favor of the Ohio Company by promoting a general westward movement of population along the back of the colonies, there was need of discovering some better method of suppressing the lawlessness and dishonesty so characteristic of this borderland between the whites and the Indians than those crude means employed in such provinces as New York and Virginia.

The difficulties in the way of formulating an imperial policy for the West to supplement or replace the colonial management were largely the offspring of the divergent opinions of the prominent men in the colonies and the mother country, which opinions had their origin both in broad and basic political principles and in personal interests. How such diversities of principle and interest produced heated arguments during the period of the peace negotiations when Canada and Guadaloupe were in the balance has already been seen. At that time the men who held the opinion that the chief value of the colonies consisted in the production of staple and raw materials which might be returned on British ships to the mother country argued for the retention of Guadaloupe, whereas those who thought of colonies as markets where the manufactured articles of the mother country could be sold preferred Canada. The latter triumphed when the treaty was made. The

same principles which underlay the opinions of these two parties continued to be operative in all discussions of the future of western America.

The advocates of the older colonial policy at the outset saw advantages only from the fur trade; and while they were ready to develop mines of copper and lead when opportunities were called to their attention, such possibilities were never a strong factor in shaping their opinions. The fur trade was dependent upon the maintenance of those primitive conditions that permitted the Indians to hunt at will the fur-bearing animals. The extension of the frontiers westward, it was pointed out by this group, must always limit, by so much, the fur trade territory and so should not be encouraged. Within the colonies the wish to promote the business of buying peltries at the expense of settlement was particularly strong among the French-Canadians and later among those English-speaking merchants, mostly Scotch, who succeeded in securing the control of this industry from the older inhabitants of the northernmost region. In New York and Pennsylvania the livelihood of many was dependent on the same trade and they too looked with fear upon the march of the population westward. In the southern dependencies, particularly in the Carolinas and Georgia, the fur trade was widely practiced; but, since only low-priced skins were produced in the Southwest, its influence upon the development of a western policy was not of much significance. These Americans had their supporters in Great Britain, the local merchants being generally little more than agents of the wealthier companies of the mother country. Naturally the most important factor in this opposition to settlements was the great Hudson's Bay Company, whose influence in administrative circles can be felt by

the close student of the period, though it is impossible to follow its agents through the subterranean passages to the royal closet. The first rock upon which the formation of a western policy was likely to be broken, therefore, was a widely-held economic principle supported by numerous influential men on both sides of the Atlantic who were teaching the doctrine of raw products and were exercising their ingenuity in discovering arguments to prove that the promotion of colonization in the great valley would be detrimental to the empire.

Opposed to these men were those who were advocating the newer principle that the value of the colonies could be enhanced by their growth in population and by the multiplication of markets for the consumption of British products, and that this could be most easily attained by opening up for settlement the rich acres west of the Alleghanies. The only danger to be feared by the mother country, said those of this opinion, was the development of colonial manufactures, and the day of such economic independence could be postponed for years, provided forethought was taken to attract the incoming immigrants to agricultural pursuits by a generous offer of new lands, thus avoiding the concentration of population in the cities and the consequent development of a class of low-paid laborers clamoring for work. The supporters of this principle were not wholly disingenuous but had in mind their own advantage; their names may generally be found inscribed in the membership list of one of the numerous companies which were formed in the hope of reaping rich rewards in land speculation. They were true sons of the eighteenth century, the century of the Mississippi scheme of John Law and of the South Sea Bubble; and the men

who still remembered these or similar ventures were eager for speculative enterprises of all kinds. Vast fortunes were being made in the East Indies and the returning nabobs were accorded a prominent place in the social and political life of the empire. Their example was an incentive to their contemporaries and the exploitation of the West by colonization through combinations of wealthy associates seemed to offer almost as good an opportunity as the confiscation of the wealth of the Indies.

Each of these two parties developed in the course of time its western colonial policy supported by a set of arguments in favor of its own plans and against those set forth by the opponents. Each of the policies received attention by the imperial government and was regarded with favor or the reverse according to the personal interests and prejudices of the factions composing the ministry in power. Attempts were made to force the adoption in its most extensive form of each of the policies, but without success; and every definite ministerial act, after the close of the French and Indian War, can be interpreted only as a compromise between these two extreme views.

This broad division of parties based on principle and special interests was not the only divergence to be found in the opinions of politicians. The clash of imperial with colonial rights of domain struck off the platforms of a second pair of opposing parties. Several of the provinces such as Massachusetts, Connecticut, Virginia, the Carolinas, and Georgia had extensive claims, supported by charter rights, to the land lying back of the mountains. Of these, Virginia's claim was the most extensive, including as it did, not only the territory directly to the westward but also what be-

came known as the Old Northwest, lying north of the Ohio River and taking in the region of the Great Lakes. The possibilities of great wealth to be attained by the exploitation of this western territory through colonization was not overlooked by the provincials; particularly were the men of Virginia prepared to take every advantage of their monopoly. As has been seen, individuals and companies were ready to make use of the opportunities thus offered, and ambitious governors were persuaded to push the colonial claims to the farthest in order that they too might enjoy the expected profits.

Such an exploitation of the wealth of the West by the dependencies was contrary to the interests of the empire. Here was an immense territory capable of supporting several populous colonies, which might not only augment the imperial strength but also by the proper control of the sale of land enrich the imperial treasury, if care were taken in the granting of the new colonial charters. Those impressed with the imperial idea were of the opinion that the earlier colonial establishments had resulted in a waste of energy and treasure, and they were fully convinced that their charters should not be permitted to act as a bar to new and better considered plans of ultramontane development.

This imperialistic program was popular in the colonies which had definite western boundaries. This was peculiarly the case in Pennsylvania, whose spokesman in England, Benjamin Franklin, enjoyed great influence with several powerful political factions. The supporters of this view carefully pointed out the dangers that might arise from the disproportionate influence and power of a colony like Virginia, should she maintain her claim to such an extent of territory. The selfish motive lying underneath their arguments is not

easily concealed, for should no western boundaries be established, the citizens of Virginia and of other colonies with extensive claims would gain most of the profits of future colonization to the financial loss of the citizens of colonies not so happily situated. The party was undoubtedly strong in Great Britain on account of its appeal either to patriotic motives or to personal interests.

All the difficulties in the formulation of a western colonial policy are so closely bound together that the analysis of them incurs the danger of causing misconceptions. On such a complicated question with its many ramifications, opinions were necessarily very complex, and it is not strange that men did not always support what appears to be the same side in every one of these enumerated disputes. Generally those with imperialistic views were grouped together on the above issues; but when it came to the definitive act of disregarding the charter rights of the colonies by designating western boundaries for them, many imperialists refused to follow the logic of their own principles, and the alignment of the factions was different from what would be expected. The eighteenth-century man was very loath to participate in an attack on vested rights, and the charters of the colonies seemed to him of the same legally divine origin as those of the Hudson's Bay Company and the East India Company. The attack on the latter in 1766 almost annihilated factions and broke up unions which had persisted for years. An attempt to abrogate colonial charters would be still more dangerous because in the sensitive condition of the colonies, it might cause them to commit overt acts looking towards independence. No ministry could afford consciously to set out on a course involving the possibility of a

civil war and the certainty of oratorical thunderbolts from those who were always eager to throw their protection around legally created monopolies.

Westward expansion, whether authorized by the empire or the colonial governments, was not favored by those men of fortune in America and Great Britain who had made large investments in land lying to the east of the mountains.[169] Such investments were commonly made for speculative purposes and the land was withheld from the market in the expectation of a future augmentation in value when the surrounding population increased. These speculators were quick to perceive that the realization of their hope would be delayed should the fertile region of the transmontane val-

[169] Such landholders owned land in many colonies, particularly in New York, Virginia, the Carolinas, Georgia, and the Floridas. The following is a list of those only who held in East Florida large grants that lay beyond the Indian boundary which was run in 1765.

	Acres		*Acres*
Barrington, Samuel, Esq., Captain	20,000	Grant, Archibald, Bart.	20,000
Beresford, Earl of	40,000	Grant, Duncan, Esq.	10,000
Besborough, Earl of	20,000	Greghurst, John, Esq.	20,000
Bisset, Robert, Esq., Captain	5,000	Jerveys, John, Esq., Captain	20,000
Bradshaw, Thomas, Esq.	10,000	Lillingston, Luke, Esq.	10,000
Bret, Richard, Esq.	10,000	Moira, Earl of	10,000
Cassilis, Earl of	20,000	Morray, John, Esq., Captain	10,000
Cooper, Grey, Esq.	20,000	Morrison, James, Esq.	5,000
Croul, William, Esq.	10,000	Oswald, Richard, Esq.	20,000
Dartmouth, Earl of	40,000	Penman, James, Esq.,	10,000
Duncan, Sir William	20,000	Richerts, William, Esq.	20,000
Fawcett, William, Esq., Colonel	20,000	Robertson, James, Esq., Colonel	15,000
Fitzherbert, William, Esq.	20,000	Southwell, Colonel, Esq.	20,000
Fortrey, James, Esq.	10,000	Tempel, Lord	20,000
Gordon, Lord Adam, (out of 20,000)	6,000	Townshend, Charles, Esq.	20,000
Grant, Alexander, Bart.	20,000	Turnbull, Charles, Esq.	33,000
		Tutchet, N., Esq.	20,000
		Upton, Cothworthy, Esq.	20,000
		In all	594,000

From report of W. G. de Brahm, surveyor, sent to Dartmouth, October 23, 1773, *Dartmouth Manuscripts.*

ley be opened up to settlement, and from them there came a strenuous opposition to every attempt to foster the movement of the frontier westward.

Finally there were many men whose sense of justice to the Indians caused them to hesitate to support definitive measures that would permit the frontiersmen to swarm without restraint over the territory which had been so long the home of the natives. These latter were unquestionably the wards of the empire and any infringement upon their rights would be an injury to the good faith of Great Britain. A policy of protection of the Indians' hunting-grounds from encroachments must be maintained, not only for conscience sake but in order to avoid the expense of an Indian war. Westward expansion could only be encouraged after the Indians were conciliated and reconciled. To the imperialistic party it seemed that the solution of this problem could be found only by placing the West directly under the control of imperial officers.

The difficulty arising from the presence of the Indians was not simply one of land. The organization of the trade with the natives was also a burning issue. Should this be controlled by colonial or imperial laws? Should the administrative officers receive their power from the colonies or the mother country? It will later be shown that there was a difference of opinion on this issue even among the colonists, but probably the majority of those directly interested preferred that the hit or miss variety of control, hitherto practiced by the colonial governments, should be continued. On the other hand the frauds perpetrated on the Indians by the traders might result in such disastrous and costly wars that those politicians who argued for a complete imperialization of Indian affairs seemed to be justi-

fied. There were developed in the course of time two distinct plans which embodied the principles, imperial and anti-imperial, that were maintained by these two parties in regard to the organization of the western trade.[170]

It was many years before the politicians became conscious of all the special interests which were wrapped up in the western colonial question, and the appreciation of the difficulties in the way of formulating a western policy had a very perceptible growth. The first British minister to understand their full significance was the Earl of Halifax. He was originally a partisan of the Bedfords and owed his appointment to the presidency of the Board of Trade in 1748 to the influence of that faction,[171] the head of which became at the time secretary of state for the Southern Department. Lord Halifax was not regarded by his contemporaries as a steadfast partisan. After being brought in by Bedford he attached himself to his relative, Newcastle, but remained on good terms with his first patron.[172] In 1757 he became unfriendly to the Old Whigs; and, under the influence of the brilliant wit and flattery of Dodington, he threw in his lot with the Leicester House group,[173] and, at the beginning of the reign of George III., may be counted among the Whig mem-

[170] The attention of the reader should be called to the fact that the imperial idea of the Pittites, as developed by Lord Shelburne in 1767, did not favor the multiplication of imperial officials and that, therefore, the policy of colonial control of the Indian trade was favored by them.

[171] Correspondence between Bedford and Halifax in 1748 in British Museum, *Additional Manuscripts*, 32716, pp. 88, 337; Dodington, *Diary*, 331 ff.

[172] Bedford, *Correspondence*, vol. ii, 250; Von Ruville, *William Pitt*, vol. ii, 125; Dodington, *Diary*, 331 ff., 387, 393, 397; Fitzmaurice, *Life of Shelburne*, vol. i, 143, Lyttelton, *Memoirs*, vol. ii, 599, 601.

[173] Bedford, *Correspondence*, vol. ii, 249 ff. His close friends at this time were Lord Barrington, Charles Townshend, James Oswald, Hans Stanley, Lord Hillsborough, Bubb Dodington. Cumberland, *Memoirs*, 121, 140.

bers adhering to the court. Lord Halifax was a man of considerable ability, a pleasing but not forceful speaker, and popular with the merchants. He was very ambitious and pushing in his own interest, but was considered precipitate in judgment. On the other hand he attended to the duties of his office; and, unlike many contemporary ministers, he wrote his own dispatches. In appearance he was noble and imposing, splendid in dress, and he possessed those superficial qualities that fascinate the popular mind.[174] His reputation among the official class as the principal authority on American subjects was so well established that his colleagues underestimated the value of his advice as being biassed by his enthusiasm and warmth for the colonies.

During King George's War two ideas had penetrated the consciousness of governmental circles: the first, that the colonies were destined to expand westward; and the second, that the French were closing the gates through the mountains to the West. It has already been seen that Halifax, with the assistance of his patron, Secretary Bedford, took measures for providing for both contingencies by favoring the grant to the Ohio Company which had been formed in Virginia. Western expansion had become a ministerial policy. There now began that race between the French and English to secure the valley of the upper Ohio in which the French were at first victorious. This event opened Halifax's eyes to other elements of importance in any future western policy, notably the fact that the success

[174] See characterization of him by his secretary, Cumberland, *Memoirs*, 99, 102, 140, 188; also, Mudford, *Critical Examination of the Writings of Richard Cumberland*, vol. i, 152. See other characterizations of Lord Halifax by the following men: Fox, in Fitzmaurice, *Life of Shelburne*, vol. i, 143; George III., in Grenville, *Papers*, vol. ii, 514; Lord Hardwicke quoted in Torrens, *History of Cabinets*, vol. ii, 204, 244.

of the French was due largely to the preference of the Indians for them. The hostility of the Indians to the British had been noticed in the previous war, but during the interval of peace it was forced more and more upon the attention of the ministry. The management of Indian affairs by the colonies, on account of their mutual rivalry and jealousy in trade, had completely broken down at the supreme crisis that had arisen. This was learned in particular from the letters of an Irishman living in the Mohawk Valley, William Johnson, who had been appointed colonel of the Indians by Governor Clinton.[176] From his letters it became apparent to Halifax that the Indians had been systematically defrauded of their lands and cheated in trade.[177]

No less conspicuous than this neglect of the colonies to provide adequately for Indian affairs was their supineness in defending themselves against the aggressions of the French. Here again rivalry and jealousy prevented unity of action and efficient preparations, and their failure threatened the general welfare of the empire and demanded the interference of the mother country. As the crisis on the Ohio became more alarming, Halifax with the approbation of the ministry determined that some decisive measure must be taken. In order to determine what this should be, there was called in 1754 the famous congress of delegates at Albany. The Americans preferred to discuss the details of a union of the colonies rather than to provide effectively for warding off the immediate danger which threatened them on the western frontier. A condition,

[176] New York *Colonial Documents*, vol. vi, 540, 546, 599. See also Cadwallader Colden's report of August 8, 1751 in *idem*, 738. For a detailed discussion of the causes of the failure of the colonies, see Johnson's memorial in *idem*, vol. vii, 970.

[177] — *Idem*, vol. vi, 918.

not a theory, confronted them, and they preferred to discuss the latter.[178]

The Lords of Trade did not wait for the report from Albany, nor would the theoretical recommendations of the congress have been of much assistance in settling the critical situation in western and Indian affairs, but they proceeded, on August 9, to formulate for themselves what should be done. Their report reveals the prevailing ideas of the time in ministerial circles, and may be taken as the starting point for tracing the history of the development of a British imperial policy for western America.[179] The general purpose of the Lords of Trade was to stop the encroachments of the French upon territory claimed by the English. For this purpose it seemed to them, under the leadership of Lord Halifax, that the defense of the colonies against the French and the management of the Indians should be unified and placed under the control of one officer, appointed by the king. The building and the garrisoning of frontier forts should be the care of the colonies, and they should also supply presents for the Indians, support Indian commissaries, and find money to pay the salary of the official who was to serve as commander-in-chief and commissary-general of the Indian Department. The whole expense of these establishments should be apportioned by commissioners among the colonies according to wealth and population.[180] The recommendation was reinforced by a new

[178] On the conference consult Beer, *British Colonial Policy*, chap. ii. Mr. Beer says of the result of the Albany Congress: It "had not succeeded in conciliating the Indians, nor had it provided for the joint management of Indian affairs nor for the strengthening of the frontiers, which were the chief objects desired by the British government."

[179] Printed in New York *Colonial Documents*, vol. vi, 903 ff.

[180] Consult also Secretary Robinson's letter of October 26, 1754 in *idem*, 915.

representation of the Board when the report of the Albany Congress was forwarded to the ministry.[181]

Had some such plan as this been adopted, the main expense of the war in America would have fallen on the colonies; their part in the struggle with France would have been more energetic and honorable;[182] and a unified system of Indian management and of western defense supported by the colonies themselves would have been inaugurated. Instead of adopting a policy conceived on these lines successive ministries trusted to the older method of requisition upon the colonies for troops, a method which brought only a half-hearted response with poorly provided soldiers, in spite of the annual supplies to the various colonies voted by Parliament. The British government, nevertheless, was in earnest and sent, for the first time in the history of America, large numbers of regular troops to fight the colonial battles; and the success of the war must be credited to the valor and training of the red-coated soldiers of the imperial army.[183]

Although the purpose of forming a comprehensive western policy was not pursued, one point in the recommendation of the Board of Trade was adopted by the administration which began the war for the Ohio Valley. The unification of the command of the army and of the management of the Indian policy seemed to be imperatively demanded by the existing conditions. The war was imperial in character; the western Indians had been won by the French agents and even the Iroquois were lukewarm. It was, therefore, determined to send

[181] October 29, 1754, in New York *Colonial Documents*, vol. vi, 916. This last contains a list of the grievances suffered by the Indians at the hands of the colonists.

[182] The amount of assistance given by the colonies during the war is shown in Beer, *British Colonial Policy*, 270, *footnote* 1.

[183] For a clear discussion of this, consult *idem*, chap. iv.

to America an officer, General Braddock, who should command the military forces and should take the management of the political relations with the Indians out of the hands of the inefficient colonial officials and appoint two superintendents to serve directly under him. In the spring of 1756, William Johnson was appointed to oversee the relations with the Indians in the North and Edmund Atkin to take charge of the natives of the South. On account of Atkin's death John Stuart was later selected to fill the latter position. The possibility of concerted action along the whole frontier from Canada to Louisiana was thus secured.[184]

From now on Lord Halifax and his companions in the Board of Trade could not complain of dearth of information concerning the Indians and western conditions. Letters were sent by the superintendents of Indian affairs, the governors, and others. William Johnson, the northern superintendent, in particular, proved himself a prolific writer. The most important and comprehensive of these communications was the report drawn up by Johnson's secretary, Wraxall, on January 9, 1756.[185] This is unquestionably the ablest paper on the Indian question written during this earlier period, in spite of the author's partiality for his superior; and its influence may be traced in all later communications and in the final construction of a definite

[184] For General Braddock's appointment, see New York *Colonial Documents*, vol. vi, 920. William Johnson received a commission as superintendent of the Six Nations and their allies at first from General Braddock in April, 1755, but his appointment from the home government was dated 1756. See *idem*, 961; vol. vii, 35, 40; *Documentary History of New York*, vol. ii, 650; see also references in Beer, *British Colonial Policy*, 254, *footnotes* 2 and 3.

[185] New York *Colonial Documents*, vol. vii, 15. Unfortunately, H. R. McIlvaine's edition of Wraxall's *Abridgment of Indian Affairs* appeared too late to be used for this study. His introduction is an admirable survey of Indian affairs previous to the period covered by this work.

policy. The paper laid particular stress upon the fraudulent purchases of lands from the Indians and the occupation of territory before such purchase. It recommended: "That the Indians be remedied and satisfied with regard to their complaint about their lands . . . and that no patents for lands be hereafter granted but for such as shall be bought in the presence of the superintendents at public meetings and the sale recorded by the Ma[jes]ty's Secr[eta]ry for Indian affairs." In the course of the narrative several purchases and grants were mentioned which were extremely objectionable to the Indians. Among these were certain notorious ones in New York, the grant on the Ohio to the Ohio Company, and the various patents to land in the same region issued by the governor of Virginia.[186] Another dispute that arose at this time called the attention of the Board of Trade more directly to the Indians' objections to settlements across the mountains; namely, the disagreement concerning the purchase of land extending to its western boundary by the colony of Pennsylvania.

From the many letters of their superintendents the ministers learned that the western Indian policy should be more inclusive than they had hitherto thought necessary. They had sent generals and armies to defend the colonies from the French; they had appointed superintendents to hold the Indians to an alliance with the English; but they had never attempted to interfere with the colonial management of Indian lands.[187] Here en-

[186] Lieutenant Governor Colden made on March 1, 1762, a general denial of any fraud practiced in New York. See *idem*, 490.

[187] See for instance the communication of the Lords of Trade to Governor Hardy and Chief Justice De Lancey, dated March 19, 1756, in which they refer to them the Indian complaints about the fraudulent purchase of lands. See *idem*, 77, 78.

tered a new idea into their plans; the consideration of justice to the Indians, the protection of their hunting-grounds from fraudulent purchases, and the prohibition of illegal encroachments. Pennsylvania showed the way. Her representatives took the first definite step to appease the injured Indians in this particular by making the significant promise at the Treaty of Easton, in October, 1758, that no settlements west of the Alleghanies would be made within the confines of their colony.[188] This was a move in the right direction, and in the end the example of Pennsylvania was to have a far-reaching effect. For the present, however, the British ministry, though showing its approval of the general principle involved by confirming the Treaty of Easton, did not extend its application to the western lands of other colonies.[189]

This action at Easton was to be imitated immediately by the imperial representative in the transmontane valley where the Ohio Company had begun operations again. Colonel Bouquet, who was now in command at Fort Pitt, had signified his willingness to join this company, and the Virginians naturally supposed that no obstacles would be placed in the way of their colonizing the territory which the British government had authorized to be ceded to them. In September, 1760, Lieutenant Colonel Mercer, a representative of the company, wrote to Bouquet that he had brought the papers relating to the grant. The issue was thus joined. The commandant had to choose between the rights of the whites and those of the Indians. The fear of rousing the latter to overt acts of hostility overcame Bou-

[188] *Canadian Archives Report*, 1889, p. 72 ff.; *Documentary History of New York*, vol. ii, 775, 783; *Gentleman's Magazine* (1759), vol. xxix, 41, 108.

[189] See Bouquet's statement concerning this, October 13, 1761, in *Canadian Archives Report*, 1889, p. 73.

quet's self-interest; the agreement at the Treaty of Easton was a precedent; and on October 13, 1761, he issued a proclamation prohibiting for the present all settlement west of the mountains.[190]

The Virginians felt themselves particularly aggrieved by this act of Colonel Bouquet, for by it not only was the Ohio Company prevented from pursuing its operations, but also it affected the many individuals who had received grants of land and the soldiers who had been promised rewards for their services in protecting the colony in 1754. The result was a protest from the governor, but Bouquet answered that the interested parties must obtain permission to make settlements from the commander-in-chief, and that as soon as conditions permitted, he would himself give all such settlers his protection. His intention was, as he explained, to safeguard the rights of all. This was also the purpose of General Amherst in approving Bouquet's proclamation.[191]

A petition to the Privy Council in 1759 from the assembly of Pennsylvania concerning disputes about land with the Indians brought this question again to an issue in the British government, and the Lords of Trade, on June 1, made a report in which was discussed the western problem with particular reference to justice to the Indians.[192] They pointed out that the principal cause of all the Indian uprisings had been the occupation of their land by the frontiersmen and gave as their opinion that "the frauds and abuses, with respect to purchases and settlements of Indian lands

[190] The proclamation and the ensuing correspondence is printed in *Canadian Archives Report*, 1889, p. 73 ff. See also petition of George Washington *et al.* of 1763 in Public Record Office, *Colonial Office Papers*, 5.1330, p. 323.

[191] *Canadian Archives Report*, 1889, p. 73 ff.

[192] Printed in *Documentary History of New York*, vol. ii, 772.

properly so call'd and the fatal effects of such abuses are not confined to the province of Pennsylvania, nor to this particular tribe of Indians; they have been as much practiced, complain'd of, and almost as severely felt in every other province and extend to almost every tribe of Indians with whom we have an intercourse." In spite of this clear enunciation of the difficulty the Lords of Trade contented themselves with narrating the facts without making any definite recommendation to remedy the evil. As a matter of fact the president, Lord Halifax, was not willing to check the western colonization even temporarily, if peace with the Indians could be maintained. The very next year after this report was made he was in favor of settlements adjacent to the Great Lakes, "provided it be done with a proper regard to our engagements with the Indians,"[193] and if the discoverable information can be depended upon, this was the attitude of the ministry in general.[194] So far were the officials in America from interpreting the advice of the Board of Trade as an intention to place a permanent prohibition on the making of land grants that General Jeffrey Amherst, commander-in-chief of the British army in America, recommended several frontier settlements, one even as far west as Niagara; and Lieutenant Governor Colden of New York on Amherst's advice opened up several tracts of uncleared land.[195]

[193] The grant in question was on Lake Champlain, but the lords were somewhat mixed in their geography. See New York *Colonial Documents*, vol. vii, 428. See also *idem*, 437, where the Board of Trade writes "that the settlement of our frontier lands is, in the general view of it, a measure of great public utility and advantage."

[194] The only action of the ministry on the complaint of the Delaware Indians was to command Sir William Johnson to make an examination. *Documentary History of New York*, vol. ii, 789.

[195] New York *Colonial Documents*, vol. vii, 445, 456, 488, 491, and particularly Amherst's own statement on p. 508.

The Board of Trade under the presidency of Lord Halifax, did not go beyond this general recommendation of a policy of protection for the Indians' lands against too eager settlers. The ratification of the Treaty of Easton was simply an application of this principle. In spite of Johnson's recommendation that boundaries between the several colonies and the hunting lands of the Indians be established,[196] the Lords of Trade, unwilling to stop westward emigration, took no steps to bring about that result.

On March 21, 1761, Halifax resigned to take another office. He was always a seeker after personal power and under his administration the Board of Trade had acquired considerable prestige. When he first came into office, the imperial government knew almost nothing about the relations with the Indians, about the causes of the failure to keep them attached to the British cause, or about the problems of frontier defense. Halifax had proved himself diligent in the collection of information on all these subjects which had become so important on account of the war. During his presidency a commander-in-chief of the army had been sent to America, the political control of Indian affairs had been imperialized, and superintendents had been appointed; but his recommendations concerning the settlements upon the Indians' hunting-grounds were weak and too general in scope to be looked upon as a policy that would at the same time satisfy and reassure the Indians and permit the expansion westward which he desired.

The next development in the western policy was due to the Earl of Egremont who became secretary of state for the Southern Department on October 9, 1761. The

[196] *Documentary History of New York*, vol. ii, 783.

power of the Board of Trade had been previously reduced so that the secretary should have complete control of American affairs.[197] The new secretary was possessed of some ability, was of Tory extraction, and described by his enemies as deceitful and unfaithful. He was put forward by his friends as a rival to his predecessor, Pitt,[198] and he was desirous of making for himself a reputation for energetic action. He seems to have been completely under the influence of his more capable brother-in-law, George Grenville, and always acted in harmony with him.

It was probably Lord Egremont's influence that induced the Board of Trade to embody the statement of a "new policy" in a report on the settlement of the Mohawk Valley concerning which Lord Halifax had taken such indecisive action. This "new policy" was different from that previously advocated which was now considered dangerous to the security and interests of the people.[199] Its essence is contained in the following sentences: "The granting lands hitherto unsettled and establishing colonies upon the frontiers before the claims of the Indians are ascertained appears to be a measure of the most dangerous tendency." This should be stopped "until the event of the war is determined and such measures taken thereupon, with respect to our Indian allies as shall be thought expedient." This important report was referred to the committee of the

[197] New York *Colonial Documents*, vol. vii, 459. For a discussion of the relation between the secretary of state for the Southern Department and the Board of Trade, see page 152.

[198] Fitzmaurice, *Life of Shelburne*, vol. i, 143; Bedford, *Correspondence*, vol. iii, 128; Walpole, *Memoirs of George III.*, vol. i, 215, also *footnote* 3; Albemarle, *Rockingham Memoirs*, vol. i, 55; Von Ruville, *William Pitt*, vol. iii, 108; *Dictionary of National Biography*.

[199] The report is dated November 11, 1761, and is found in New York *Colonial Documents*, vol. vii, 472; also printed in Massachusetts Historical Society, *Collections*, fourth ser., vol. ix, 441.

council for plantation affairs and by them to the Privy Council, where it was confirmed; but the principle, which was announced in regard to a particular case, was broadened into a general imperial program. The Board of Trade was directed to send instructions on the subject to the governors of the royal colonies where the property of the soil rested in the king. The instructions, drawn up December 2, 1761, mark a distinct advance in the execution of imperialistic ideas in the West.[200] The governors and other possible officers were forbidden to "pass any grant or grants to any person whatever of any lands within or adjacent to the territories possessed or occupied by the said Indians or the property possession of which has at any time been reserved to or claimed by them [the Indians]." Thus until new provisions were made the only way that titles could be purchased from the natives was by first making application to the governor who would transmit all particulars of the application to the Board of Trade, upon whose report the king would signify his pleasure. The purchase of lands from the Indians had thus been taken out of the hands of the colonies and had become a function of the imperial government. To the military protection and to the management of the political affairs of the Indians by the British government had been added the control of the land purchases. Future colonization was to be regulated.

It was this action of the ministry which put a full stop to the operations of the Ohio Company and compelled the governor and council of Virginia to refuse to renew the cession of land to the Loyal Company.[201] It also

[200] Printed in New York *Colonial Documents*, vol. vii, 478. The action of the Privy Council will be found in Privy Council (Colonial Series), *Acts, 1745-1766*, vol. iv, 494-500.

[201] Ohio Company *Papers*, vol. i, 87, in Historical Society of Pennsylvania.

prevented the officers and soldiers of the Virginia militia, who had enlisted in 1754 on the governor's promise of land grants west of the Alleghanies from entering into their claims, for as they wrote, "upon application to Your Majesty's present lieutenant governor and council of the said colony your memorialists received for answer that they were restrained by Your Majesty's late instructions from making any grants in those parts."[202] Thus before the treaty of peace was made with France certain principles of a western policy had been put into operation through instructions; but the instructions to the governors that were issued were looked upon as merely tentative in character; and it was fully understood in political circles that they would remain in force only until the end of the war, when time could be found to reconsider carefully the whole problem and to formulate a comprehensive policy.

Before this consideration could be given, circumstances forced from the administration a decision on one phase of their program that was to have a far-reaching influence upon later events and to affect the whole western policy in many ways. The exigencies of the War Department were responsible for this haste. The general in America and the ministry at home realized that, after the treaty of peace was made, a force of regular soldiers would be needed in the colonies not only to protect the country, particularly the new acquisitions, from foreign invasion and from the western Indians who were known to be too friendly to the French, but also to hold in subjugation the new subjects of Canada, Louisiana, and Florida. So important was this subject that it was agitated in the ministry soon after the conquest of Canada. In December, 1761,

[202] Public Record Office, *Colonial Office Papers*, 5.1330, p. 328.

Lord Egremont wrote General Amherst to order the military governors to transmit an exact state of the country, a return of forces, fortifications, defenses, etc.[203] In the report of General Gage, governor of Montreal, it was recommended that there be maintained small garrisons at a few western posts with officers having judicial power.[204] Such a measure was so obviously necessary that there seems to have been no serious difference of opinion concerning it.

As soon as the preliminaries of the peace were signed the subject was more constantly in the minds of the ministers. In a letter transmitting the preliminaries, Lord Egremont instructed General Amherst to "be turning in your thoughts any arrangements, which may appear to you to be for His Majesty's service, and you will dispose of the forces under your command in such a manner as you shall judge may most facilitate the immediate execution of the orders, you will probably . . . receive in consequence of the definitive treaty."[205] Which one of the ministers was responsible for the final decision to maintain a force of ten thousand soldiers in the colonies it is difficult to determine. From Egremont's letters to Amherst in the autumn and winter it is evident that the secretary for the Southern Department had the subject on his mind, and there is proof that a tentative decision had been reached by December, 1762.[206]

[203] Shortt and Doughty, *Constitutional Documents*, 37, *footnote* 1. The reports of the military governors are printed in *idem*, 37 ff.

[204] — *Idem*, 71.

[205] November 27, 1762, Public Record Office, *Colonial Office Papers*, 5.603.

[206] Egremont's letters are in Public Record Office, *Colonial Office Papers*, 5.214. In a letter from Newcastle to Devonshire on December 23, 1762, there is mention of a tentative plan for the army. There was a report in New York as early as February 24, 1763, that ten thousand troops were to be maintained in America. See British Museum, *Additional Manuscripts*, 21648, p. 55. The

Two men were responsible for the final details of the plan. These were the secretary at war, Welbore Ellis, and the general-in-chief in America, Sir Jeffrey Amherst. Ellis was a man of moderate common sense and economy, but in no way one of brilliant parts. He was a "heeler"—no other word expresses the relation—of Henry Fox to whom he owed his appointment.[207] Fox himself was not deceived about the abilities of his follower. "Ellis," he wrote in his *Memoirs*, "had by my friendship and accident got into a place much above his pretensions and he was the only man in England who did not think so."[208] In spite of the character of its occupant the secretaryship at war, which under Pitt had been completely subordinated in the ministry, was raised in dignity and the holder of it was given direct access to the king.[209]

To him was now assigned the duty of deciding what troops should be maintained in the empire; and by February 12, he had reached definite conclusions and wrote to General Amherst: "I think it right to acquaint you that His Majesty's present intention is to keep 20 battalions (a list of which with an account of their intended establishment you have enclosed) for the service of North America and the plantations."[210] A few days later Ellis laid his plan before the principal sup-

problem of the army in Ireland was nearer solution in December and January. See *Calendar of Home Office Papers of George III.*, vol. i, 210, 258, 259.

[207] Wraxall, *Memoirs*, vol. ii, 173; Grenville, *Papers*, vol. ii, 68, *footnote* 2.

[208] Ilchester and Stavordale, *Life and Letters of Lady Sarah Lennox*, vol. i, 15.

[209] Pitt told the king in August, 1763, according to a report which reached the ears of Horace Walpole, that "the secretary at war should not be of consequence, as it was now under Ellis, that clerk of Fox, the paymaster, but should depend on him whom his Majesty should think proper to command his army."—Walpole, *Memoirs of George III.*, vol. i, 232. See also Grenville, *Papers*, vol. ii, 115.

[210] State Papers Domestic, *Military Papers*, 4.71, p. 224.

porters of the government,[211] and in March brought it before the House of Commons. The opposition, particularly the Newcastle Whigs, were intending to make some objections; but a speech by Pitt in favor of the maintenance of the army on a larger standing than formerly stopped all opposition.[212] At the time the proposal was made, there seems to have been an almost universal understanding that Great Britain would pay for the expense only during the first year but that thereafter money would be raised in the colonies for the support of the troops.[213] In accordance with this decision, Ellis issued to Amherst the royal warrant for the reduction of the forces to the determined peace footing.[214]

[211] The Duke of Newcastle managed to obtain a copy of the plan, which was dated February 17 or 19. In it occur the following: "10,000 men in America, to be paid by England. To be opened by the secretary at war, the troops for N. America, will, it is hoped be paid, another year, by the colonies themselves; And the additional number proposed to be kept in Ireland be provided for, at the meeting of the Irish Parliament."—British Museum, *Additional Manuscripts*, 32947, p. 46. See also Rigby to Bedford, in Bedford, *Correspondence*, vol. iii, 209; Walpole, *Memoirs of George III.*, vol. i, 193.

[212] Rigby to Bedford, March 10, 1763 in Bedford, *Correspondence*, vol. iii, 218. Massachusetts Historical Society, *Collections*, first ser., vol. vi, 194. In a letter of Newcastle to the Duke of Devonshire of December 23, 1762, occurs the following: "The duke [of Cumberland] told me, the other day, that the ministry fear'd, they should be opposed in their army; and they certainly will. If they intend to have the usual 18,000 men, and the invalids only, that, I think, we should not oppose; and so I told the duke; but, I find, they would have this number exclusive of the garrisons of Port Mahon and Gibraltar with a power to increase the Irish army to whatever number they please; besides 12,000 regular troops in North America."—British Museum, *Additional Manuscripts*, 32945, p. 335.

[213] Besides references above, *Annual Register* (1763), vol. vi, 21. This is from the hand of an Old Whig, Edmund Burke, one of the repealers of the later Stamp Act. He wrote: "For the present these troops are maintained by Great Britain. When a more calm and settled season comes, they are to be paid, as is reasonable, by the colonies they are intended to protect." It is probable that even William Pitt entertained this belief at the time. See W. Gordon, *Rise, Progress, and Establishment of the Independence of the United States*, vol. i, 136, quoted in the *Dictionary of National Biography*, art. "Francis Fauquier."

[214] May 18, 1763, British Museum, *Additional Manuscripts*, 21634, pp. 241,

To General Amherst was assigned the duty of determining the disposition of these troops.[215] Since this distribution revealed the purposes proposed by the ministry in maintaining an army in the colonies and since the manner of stationing the troops became later an issue between factions, it is necessary that certain of the details should be understood. In order to defend such an extensive territory from foreign and Indian attacks and to hold in subjection the new French and Spanish subjects,[216] the troops were to be scattered in small de-

246. Although this important decision had been already reached and steps were being taken to carry it into execution, Lord Egremont, in his letter of May 5, referred the subject of the maintenance of an army in the conquered territories to the Board of Trade and asked for a report. That body, in the report of June 8, reported that they were not ready to discuss the question; but, on October 13, they took it up and wrote the secretary at war for information. The latter answered on October 19 and sent the papers showing what had been done. No further action was taken by the Board of Trade. The only explanation of this conflict lies in the practical independence of the various governmental departments. Shortt and Doughty, *Constitutional Documents*, 94, 102; Board of Trade, *Journals*, in Public Record Office, *Colonial Office Papers*; also *Colonial Office Papers*, 323.17, p. 17. It should be noticed that Lord Shelburne, while president of the Board of Trade, was informed by Ellis of the details of the arrangements. See Ellis to Shelburne, July 31 in *Lansdowne Manuscripts*.

215 Ellis's account of the negotiations was as follows: General Amherst "had previous to this [May 18] a letter written by me by His Majesty's command [February 12] calling upon him for a general military plan for that whole empire including the West Indies on the establishment of ten thousand men distributed into twenty battalions.

"This manner of proceeding is agreeable to what is observed towards the commander-in-chief in N. Britain, to whom always the compliment is paid of leaving to him to form the plan of the distribution of the troops allotted to his command which plan is sent by him to the War Office . . . for His Majesty's correction or approbation; and is then transmitted back to him. . . It seems reasonable to conform to that precedent in regard to Sir J. Amherst."– *Lansdowne Manuscripts*. In a debate on the army bill January 26, 1767, Lord Granby stated that the plan for the distribution of troops in America was the work of General Amherst. See Walpole, *Memoirs of George III.*, vol. ii, 293.

216 Besides these purposes two others are mentioned, the protection of the trade interests and the maintaining the older colonies in a state of constitutional dependence upon Great Britain. The idea of using the army to main-

tachments, the largest of seven hundred and fifty men being stationed at Quebec. The centers of other detachments were Montreal, Niagara, Detroit, Nova Scotia, South Carolina, Pensacola, lower Mississippi, and Saint Augustine. In each case the detachment was distributed at several posts within the district; for instance, the soldiers of the Detroit district were to garrison Detroit, Michillimackinac, Miami, and a fort at the mouth of the Illinois; the lower Mississippi district was to be divided between a fort at the juncture of the Iberville and the Mississippi, another at the mouth of the former river, another at the mouth of the Yazoo, and a fourth at the mouth of the Ohio.[217] The plan contemplated, as may be seen from the list, the erection of several new forts in the Mississippi Valley. The advocate of the plan argued that it was better to colonize from the extreme west eastward rather than the reverse as had been the practice hitherto, because, as he pointed out, the boundaries of the territory would be in this way sooner protected against an enemy. The last item of the plan proposed two commanders for the colonies, one to be stationed north and the other south of the proprietary colonies.[218]

tain the supremacy over the colonies became general, however, only at a later date, when it was readily seen that the distribution of the troops in small detachments would not serve that purpose. Mr. Beer [*British Colonial Policy*, 266] has reached a similar conclusion.

[217] The omission of Fort de Chartres from both the Detroit and the lower Mississippi districts is interesting. Was General Amherst ignorant of the existence of such a fort, or did he intend to abandon it? The probability is that he underestimated its importance.

[218] This document is printed in Alvord and Carter, *The Critical Period* [Illinois *Historical Collections*, vol. x], 5. Its authorship and date are doubtful. Either it was written by General Amherst or was drawn up in England in accordance with his advice. It is found among the Board of Trade papers which were examined May 6. The last clause, which is probably a later addition, states that the plan was formed on the supposition that France would keep the country west of the Mississippi, but the writer has evidently

The many issues that were to be born out of this decision to maintain a standing army in America were concealed in the womb of time from the eyes of the ministry that was responsible for the measure. They could not foretell that revolutionary ideas would spring from the effort to raise in America the funds needed for the maintenance of such a force; nor was the power of divination given them to catch a glimpse of the future struggle in the cabinets over the least costly and best method to distribute the troops; nor could they perceive in a measure seemingly so reasonable the germs from which were to develop two rival systems of western colonial policy that were almost to disrupt two administrations and were to prevent that calm consideration of the colonial problem which they had so much at heart.

heard of some rumors, at least, of the cession to Spain. England was not officially informed of this cession by France until October, 1763; but Bedford had suspected the cession during the negotiations, and Bute was certain of it in February, 1763. Hotblack, "The Peace of Paris, 1763," in Royal Historical Society, *Transactions*, third ser., vol. ii, 258; Bute's letter, February 3, 1763, Historical Manuscripts Commission, *Report*, vol. xiii, appendix vii, 132.

V. THE CHOICE OF THE MAN

Lord Shelburne, influenced probably by the example and the traditionary precepts of his eminent father-in-law, appears early to have held himself aloof from the patrician connection, and entered public life as the follower of Bute in the first great effort of George III. to rescue the sovereignty from what Lord Chatham called "the Great Revolution families." – BENJAMIN DISRAELI.

In the spring of 1763 there ran through the London populace a rumor – repeated incredulously and in whispers at first but with growing assurance – that the Earl of Bute had made up his mind to lay aside the honors and dignity of minister, while still enjoying the full confidence of his royal master and flushed with the triumph of the peace negotiations. Such an action was incomprehensible to the office-loving politicians and they could explain it only as the act of a coward or of one hopelessly defeated. Contemporaries wrangled over the cause of this unexpected resolution and historians have debated it. There was, however, no hidden mystery in the event. Long before the announcement of his decision Bute had determined that the signing of the treaty of peace should bring to an end his ministerial labors.[219] He had reluctantly assumed the responsibilities of office; and he now, his task having been performed, put them away with a feeling of relief.

[219] Von Ruville [in *William Pitt und Graf Bute*] has proved that Bute had long determined to resign. See also Elliot to Baron Mure, April 7, 1773 in Caldwell, *Papers* [Maitland Club *Publications*, vol. lxxi], part ii, vol. i, 175. Bute wrote to Mure on April 9 that the immediate occasion of his resignation was his ill health. See *idem*, 176.

The great question was who should succeed him? The contemporary correspondence proves that the favorite had, on this occasion, been given a free hand in the selection of an administration to carry out those purposes which the royal advisers had held constantly in mind. Whatever else might happen, care was to be taken to prevent the monarchy from sinking again into that humiliating subjection to the oligarchy that had existed under the king's grandfather.[220] Bute's system, as it was called, did not proscribe any individual, provided he was willing and able to act independently; but the principle upon which the new ministry was to be chosen, if the ideal could be maintained in practice, precluded the selection of ministers on account of their political affiliations. Could Bute have controlled affairs, he would not have placated any of the Whig groups as such; but he found it impossible to seduce from their allegiance a sufficient number of individuals to form a new ministry, and so was obliged to yield to the force of circumstances and make an appeal to the loyalty of certain of the factions.

His choice was limited. On account of Pitt's opposition to the treaty of peace, his late coalition with the Old Whigs, and the king's personal animosity to him for that reason, the Pittites could not be considered at this time.[221] The Old Whigs and the followers of Cum-

[220] See the correspondence between Bute and Grenville in Grenville, *Papers*, vol. ii, 33 ff.; and between Bute, Shelburne, and Fox in Fitzmaurice, *Life of Shelburne*, vol. i, 142 ff. On Bute's resignation see particularly "A Letter from a Gentleman in Town to his Friend in the Country," in *Gentleman's Magazine* (1763), vol. xxxiii, 189.

[221] Bute to Bedford, April 2, 1763, Bedford, *Correspondence*, vol. iii, 223. The history of the negotiations of the spring of 1763 may be found in Von Ruville, *William Pitt und Graf Bute*, where are given the references to the sources. Consult also the same author's *William Pitt*, vol. iii, 98 ff., but the correspondence of the period should be carefully read. See the "Bibliography"

berland were equally out of the question. Bute's choice of members for the new ministry was, therefore, confined to the Bedfords, the Grenvilles, and the court faction, and a few detached men like Henry Fox. This limitation was actually narrower than Bute expected, because Bedford himself refused to unite with the ministry, though he made no objection to his followers taking office.[222] During this crisis Henry Fox and James Oswald were the favorite's chief advisers,[223] and he discussed with them very frankly the fitness of the possible candidates.[224] Still he took the greatest pains that the final decision should remain his, since the augmentation of Fox's influence was not among his plans. The final determination reached was that no one man should be named as principal minister, but that the leadership should be placed in the hands of three men, George Grenville, Lord Halifax, and Lord Egremont, and that for the present the ministry be left on the narrow basis then existing.

Although the domestic situation was decisive in the selection of the new cabinet, one other factor was prominent in the minds of Bute and his friends. They understood fully that the most important work to be performed in the immediate future was the formation of

at end of this work. There are some very important letters on Bute's resignation printed in Adolphus, *History of England*, vol. i, 114 ff.

[222] Bedford was at this time angry at several members of the ministry which had negotiated the peace, because of the treatment he, as their agent in Paris, had received. He was particularly incensed at Egremont and Bute. See Rigby's letters in Bedford, *Correspondence*, vol. iii, 125, 131. The reasons advanced by Bedford himself for his refusal were his lack of faith in the strength of the ministry and the hostility to himself of the men who were to compose it. See *idem*, 227.

[223] That is before the issue about Fox's own office arose.

[224] See particularly the letters of Fox in Fitzmaurice, *Life of Shelburne*, vol. i, 142 ff.; and of Bute and Oswald in *Memorials of the Public Life and Character of James Oswald*, 410 ff.

a policy for the newly acquired territory, concerning which one of Bute's advisers wrote:

> The settlement of America must be the first and principal object. It will certainly be the chief point, upon which all future opposition will attempt to throw its colours, and raise its battery. It will prove, in a word, the chief engine of faction.[225]

The selection of the man best fitted to carry out this important duty was a subject of much thought and discussion. Of the "triumvirate" chosen to lead the ministry, two, Lord Halifax and Lord Egremont, were familiar with American conditions; but the Earl of Bute was never deceived in his estimation of their characters and had no great confidence in the abilities of either, while the opinion of Fox regarding the two was very unfavorable.[226] The third, George Grenville, was equally objectionable since he was interested only in financial measures and knew almost nothing about the needs of the oversea dominions. Another possible candidate was the brilliant and erratic Charles Townshend who was president of the Board of Trade while these negotiations over the composition of the ministry were being carried on. Although his mind was comprehensive in its reach, he was too indolent to make a close study of conditions, was inclined to jump at hasty conclusions, and was in the habit of vigorously promoting ill-digested plans. Neither Bute nor Fox had any confidence in his judgment and both were desirous of removing him from his position.[227]

Discarding, then, these men who were experienced in

[225] *Memorials of the Public Life and Character of James Oswald*, 414.

[226] Fitzmaurice, *Life of Shelburne*, vol. i, 143; Grenville, *Papers*, vol. ii, 208. In the case of both these references the information rests on the word of Henry Fox and this should not be relied upon alone, but Bute's whole course during 1763 proves his distrust of the abilities of the leaders of the ministry.

[227] Fitzmaurice, *Life of Shelburne*, vol. i, 146, 148.

statecraft, the Earl of Bute selected a young and untried man, but an intimate and seemingly loyal friend, the Earl of Shelburne. The manner in which Shelburne was forced upon an unwilling ministry by the king's favorite indicates that there existed between patron and protégé a mutual understanding concerning the future policy and a confidence in the loyalty of each other. Lord Shelburne was, from the time of his entrance into the administration, the true representative of the court faction.[228]

The first plan was to appoint Shelburne to the important position of secretary of state for the Southern Department in place of Grenville's brother-in-law, Lord Egremont. This would have given him complete control of the American colonies, if the power of the Board of Trade should be again subordinated;[229] and this was probably Bute's idea, provided Fox read correctly the mind of that irresolute politician when he wrote:

> Let Lord Shelburne succeed Lord Egremont. If, as I hope, that should drive Charles Townshend from the Board of Trade, let Oswald succeed him, and between Lord Shelburne and Oswald, that greatest and most necessary of all schemes, the settlement of America, may be effected.[230]

[228] Fitzmaurice, *Life of Shelburne*, vol. i, 163, 176; *Memorials of the Public Life and Character of James Oswald*, 410 ff. See also the significant statement by Hardwicke to Newcastle, May 13, 1763, in Yorke, *Life of Hardwicke*, vol. iii, 498.

[229] For these negotiations see Fitzmaurice, *Life of Shelburne*, vol. ii, 142 ff., 163, 169 ff.; Grenville, *Papers*, vol. ii, 33 ff.

[230] Fitzmaurice, *Life of Shelburne*, vol. i, 148, 196. This does not prove that Bute indorsed Shelburne's plans, but taken in connection with his praise of Shelburne's later report and the fact that he gave his confidence to Shelburne at the time the king and he determined in August to reorganize the ministry by bringing in Pitt, the interpretation seems to be justified. See page 192. In the controversy over the appointment of Shelburne between Bute and Grenville, the former gave out as his final reason for placing Shelburne in the ministry the fact of his influence over Fox and this was probably one of the determining causes. See Grenville, *Papers*, vol. ii, 41.

Had this plan been carried out, there would have been placed in charge of the American departments two men who were in advance of their age in political thought, James Oswald being one of the leaders in that Scottish circle in which Adam Smith found such congenial environment for the development of his philosophy. This proposal for the disposition of the American departments was prevented by George Grenville who raised objections to bringing such a young man as Shelburne, belonging to a family of no great weight, into the important office of secretary of state. This opposition to his plan evidently appeared to Bute insurmountable and Shelburne generously withdrew. The resignation of Charles Townshend, however, solved the difficulty by creating the much desired vacancy, and Shelburne was immediately appointed president of the Board of Trade with a seat in the cabinet, which secured him an equal weight in colonial affairs with the secretary.[231]

To name Lord Shelburne is to name the man who has exercised greater influence on the development of western America than any other British statesman, not excepting even William Pitt. At three important crises in the history of the West, Shelburne occupied the place of supreme influence over the future of the territory. As will be seen, he materially assisted in laying, in 1763, the foundations of the British policy in the great valley; in 1766, when he was secretary of state for the Southern Department, he carefully investigated the conditions in the West and formulated a colonial policy, truly im-

[231] Fitzmaurice, *Life of Shelburne*, vol. i, 173 ff.; Grenville, *Papers*, vol. ii, 41. Charles Townshend was regarded as particularly unfitted for the new ministry on account of his hostility to Egremont. See *Memorials of the Public Life and Character of James Oswald*, 410 ff.; Walpole, *Memoirs of George III.*, vol. i, 210.

perial in character, which, though frustrated forthwith by the exigencies of politics, was the source of all later issues;[232] finally and most important of all, it was Lord Shelburne as prime minister who determined the policy of his nation in the treaty of peace which closed the American Revolution, and his was the momentous decision that gave the new nation the magnificent inland valley which imperial Britain had failed to utilize.[233] The significant influence of Lord Shelburne upon the destiny of western America – an influence exercised during a space of twenty years and therefore beyond the period covered in this work – will perhaps justify the attempt, made in the following pages, to understand his character, even if his genius is not of that supreme kind that led Disraeli, also a prime minister of Great Britain, to assert that he was "the ablest and most accomplished minister of the eighteenth century."[234]

Although there is no longer that dearth of information about Lord Shelburne, concerning which Disraeli complained, the difficulties in the way of discovering his true nature are almost insurmountable, since he possessed one of those positive characters which attracts or repels contemporaries with almost equal force, and imposes on succeeding generations the task of discriminating between the idealization by friends and the caricature by enemies. What manner of man was he? Did nobility of purpose, lofty ideals, and generosity mark his course through life? Or was he the most insincere and cunning politician of his age, "a Cataline

[232] See chapter xii.

[233] Phillips, *The West in the Diplomacy of the American Revolution, passim.* One proof that this decision of his was not "of necessity" but "of choice" may be found in a letter written by him in 1797, in Fitzmaurice, *Life of Shelburne,* vol. ii, 201, *footnote* 2.

[234] Disraeli, *Sybil or the Two Nations,* 19, but the whole account, book i, chap. iii, should be read for a remarkable estimate of Shelburne's career.

or a Borgia," a procurist of sinecures for his friends, and the betrayer of the popular cause? In his case as in that of Lord Bute and of many other politicians the factious writings of contemporary politics have completely obscured the true man. Fortunately Shelburne in his old age attempted to draw a picture of his own life; and this self-revealing sketch, though only a fragment, is a rich source of information about those evasive spiritual qualities which any true portrait of him must exhibit.[235] Therein the reader may discover the conditions which surrounded him during those adolescent years in which were molded the manner of his thought, his ideals of life, and his political tendencies from which even in his maturity he never completely emancipated himself.

He was born in Dublin on May 20, 1737; and his boyhood days were spent within one of those feudal communities, relics of a former age so common in eighteenth-century Ireland, over which his grandfather ruled with the same despotic power as had his predecessors for hundreds of years. Through his grandmother he was descended from the famous Sir William Petty, the writer on political economy, and in later life Lord Shelburne attributed to this connection his intellectual attainments. One important element in his political career owes its origin to his ancestry and to the place of his birth. The traditions of his early environment were of Anglo-Irish and Cromwellian origin; and thus in his youth his political ideas were very significantly differentiated by the influences surrounding him from the common heritage of the members of the Whig oligarchy whose families boasted of their close historical

[235] This autobiography is printed in Fitzmaurice, *Life of Shelburne*, vol. i, 1-81.

relations with the glorious Revolution of 1688. This dissimilarity in inherited traditions is the explanation of that lack of sympathy between Lord Shelburne and the members of the Old Whig faction that prevented him so frequently from making common cause with such men as the Duke of Newcastle and the Marquis of Rockingham.

Lord Shelburne in his autobiography complains of his lack of education. He was permitted by his parents to run wild as long as he lived on his grandfather's Irish fief; and even when the family moved to London, the fifteen year old boy was "suffered to go about, to pick up what acquaintance offered, and in short had no restraint except in the article of money."[236] A year after this removal he was sent to Christ Church, Oxford, where his chief interest centered in the study of religion and the laws of nature; here also he listened with profit to the lectures of the learned Blackstone. With his twentieth year the period of formal instruction came to an end. He now entered the army and served in Germany under Wolfe with such credit that he was promoted to the rank of colonel and was appointed aide-de-camp to the king.[237] He was still very young when he was brought into political affairs and had never received at any period of his life that strict mental discipline that should have prepared him for the life of public service.

The consequences of this inadequate instruction during his youth were apparent throughout his life to both his friends and his enemies. One of the former, Jeremy Bentham, declared that "his head was not clear. He felt the want of clearness."[238] Lord Holland's impres-

[236] Fitzmaurice, *Life of Shelburne*, vol. ii, 11.

[237] — *Idem*, 82.

[238] Bentham, *Works*, vol. x, 187. See also 116.

sions were of a similar character: "In his publick speeches he wanted method and perspicuity, and was deficient in justness of reasoning, in judgment, and in taste. . . His mind seemed to be full and overflowing, and though his language was incorrect and confused, it was often fanciful, original, and happy."[239] This deficiency in education Lord Shelburne, in a great measure, overcame by his natural talents, the two most conspicuous being imagination and industry. His vivid imagination enabled him to visualize without the aid of his poorly developed reasoning powers the systems of philosophy expounded by his numerous intellectual friends, the first scientists, men of letters, and leaders of thought of his age, who were constant visitors at his home. Men like Lord Camden and Dunning, in politics; Priestley, Price, David Hume, and Bentham, in science; and Samuel Johnson, Oliver Goldsmith, and Sir Joshua Reynolds in arts and letters, were frequently his companions;[240] and by their conversations his active mind was constantly stimulated to such achievement as would have been impossible for him working alone.[241]

The inspiration from converse with such friends would have resulted in great superficiality; and Lord Shel-

[239] Holland, *Memoirs of the Whig Party*, vol. i, 41. It should be remembered that both Bentham and Lord Holland knew Shelburne after his active career in politics was over, when it is probable that Shelburne was depending on a failing memory rather than the active investigation and thought of his earlier days.

[240] Fitzmaurice, *Life of Shelburne*, vol. i, 218, 221, 425 ff.; Bentham, *Works*, vol. x, 101, 236. Shelburne had also many friends on the continent. Consult Fitzmaurice, *Lettres de l'Abbé Morellet à Lord Shelburne*. Dr. Priestley was Lord Shelburne's librarian for a number of years. See Rutt, *Priestley's Life and Correspondence, passim*.

[241] Bentham writes that Shelburne grasped a "scrap of an idea, and filled it up in his own mind – sometimes correctly – sometimes erroneously."– *Works*, vol. x, 166.

burne would certainly have been guilty on this charge had he not been endowed with a capacity for industry in investigation not exceeded by any contemporary statesman. He has himself explained his method in a particular instance. When he wished to discover some means of bringing about a reconciliation with the colonies, he "dedicated a great part of his time, in the course of the preceding summer, to the perusal of books, particularly to such as treated of the conduct of kingdoms and great states, in difficult and trying situations. In those researches, he endeavoured to apply what had happened in former times to the existing circumstances in which this nation at present stood."[242] Research in the documentary sources was characteristic of him throughout his life. Even when he was a young man Lord Sandwich asked him: "Have you done with those silly manuscripts?"[243] His collection of manuscripts in Lansdowne House and his library now in the British Museum prove that he was untiring in the search for information on any event in which he was interested. When he was in the ministry he was careful to hold his opinion in abeyance until there were in his hands full reports from public and private sources to enlighten him. Even while he was in opposition he did not relax his energies; and it is said of him that during Lord North's administration, he employed three or four clerks to copy the state papers.[244] His correspondence was so extensive and his information so reliable that the ministry frequently "sent to him for the information which the cabinet could not command."[245] The chief intellectual pursuit of Lord Shelburne was

[242] Speech by Shelburne in *Parliamentary History*, vol. xix, 1312.

[243] Fitzmaurice, *Life of Shelburne*, vol. i, 217.

[244] Wraxall, *Memoirs*, vol. ii, 61.

[245] Disraeli, *Sybil or the Two Nations*, 21.

the study of modern history, both English and continental; and for the period of the seventeenth and eighteenth centuries he was far better enlightened than most of his contemporaries.[246]

His encyclopedic knowledge procured him a great advantage in debate, and his speeches were illumined by pertinent allusions to historical events that illustrated the subjects under discussion. He was a learned and courageous speaker, however, rather than a great orator. In brilliancy of idea and lucidity of expression he was not to be compared to his leader, William Pitt, or in logical presentation of an argument to Edmund Burke; but in extent of information, in fecundity of thought, and in catholicity of opinion he was the equal if not the superior of both. His ideas were not always well arranged, his language was frequently incorrect and confused, and his style diffuse, but his courage in attack and his sarcastic hits caused consternation among his enemies who considered him one of their most formidable antagonists.[247] An opponent, Thomas Lord Lyttelton, in describing his attempt to answer Shelburne in debate states that he failed because "that

[246] In his *Memoirs* [vol. ii, 62], Wraxall has presented the following portrait: "In his person, manners, and address, the Earl of Shelburne wanted no external quality requisite to captivate or conciliate mankind. Affable, polite, communicative, and courting popularity, he drew round him a number of followers or adherents. His personal courage was indisputable. Splendid and hospitable at his table, he equally delighted his guests by the charms of his conversation and society. In his magnificent library, one of the finest of its kind in England, he could appear as a philosopher and man of letters."

[247] Lord Shelburne's speeches are inadequately reported in the *Parliamentary History* as is the universal case during the eighteenth century. Jeremy Bentham [*Works*, vol. x, 187] writes that he "spoke in the house with grace and dignity, yet he uttered nothing but vague generalities." A study of his reported speeches during the period of his strength does not bear out this opinion. Very good examples are offered in *Parliamentary History*, vol. xviii, 722, 920, 1083; vol. xix, 850, 1032, 1306. For a very high estimate of Shelburne as a speaker see Lord Thurlow's speech in *idem*, vol. xxii, 976.

noble lord took a course so different from his presuppositions, and displayed a degree of political erudition so far beyond him" that he was thrown into the greatest confusion.[248]

The lack of coherence, dignity, and polish, so evident in Shelburne's speeches, is not found in his written reports and other state papers, which are as regards both literary form and logical thought remarkable productions.[249] Over the wording and substance of these he expended infinite pains, drawing upon the assistance of his numerous clerks and friends. In order that he might hit upon the best line of reasoning he frequently ordered several persons to prepare for him papers of the character he was himself to write. After his own manuscript was completed, he was ever unwilling to allow it to pass out of his hands lest some more felicitous expression should occur to his mind or some further information should arrive to modify his opinion. This deliberateness of his in making up his mind and in preparing his papers exasperated all those who were compelled to work with him and seriously impaired the efficiency of his administration of a state office, in spite of the excellency of the product of his thought and pen.[250]

Lord Holland considered that Shelburne's greatest defect was his "want of judgment" and that his ruling vices were "an imperious temper and suspicion."[251] In

[248] Frost, *Life of Thomas Lord Lyttelton*, 162. An admirer calls one of Shelburne's speeches a "model of perfect oratory." See Selwyn, *Letters*, 186.

[249] See for instance the report of Board of Trade on June 8, 1763 printed in Shortt and Doughty, *Constitutional Documents*, 97.

[250] In *Lansdowne Manuscripts*, vol. clxviii, is a letter from Sergeant Glyn in which he assures Lord Shelburne that he (Glyn) is careful to destroy all evidence of the papers he had prepared. On his deliberateness see "Knox Manuscripts," in Historical Manuscripts Commission, *Report on the Manuscripts in various Collections*, 283.

[251] Holland, *Memoirs of the Whig Party*, vol. i, 42.

his autobiography Shelburne complained that he "got little or no knowledge of the world,"[252] which means that his romantic ideal of honor unfitted him to make his way in the world of intrigue where he found himself.[253] All those who came to know him intimately realized that he was inspired by a lofty conception of his position and its responsibilities. At the beginning of his career he wrote to Fox that he thought: "Men of independent fortune should be trustees between king and people, and contrive to think in whatever they do to be occupied in actions of service to both, without being slaves to either." Fox, who was particularly well acquainted with the world of eighteenth-century London, advised him to ask for a governmental position. "This will lead directly to what I suppose you aim at and perhaps soon. You'll never get it from that trusteeship that you spoke of; nor to say the truth should you get it till you have got rid of such, to say no worse of them, puerile notions."[254] Shelburne never accepted this advice of his cynical friend and it was his boast that he followed "measures not men."

Throughout life Lord Shelburne had a reputation for an insincerity exceeding that of any man of his insincere age. Walpole wrote that the falsehood of Lord Shelburne "was so constant and notorious, that it was rather his profession than his instrument. . . He was so well known that he could only deceive by speaking the truth."[255] This accusation is repeated again and again by his contemporaries.[256] A close study of his acts and of the opinions of those who lived

[252] Fitzmaurice, *Life of Shelburne*, vol. i, 15. In this Walpole is in agreement. *Last Journals*, vol. ii, 466.

[253] Fitzmaurice, *Life of Shelburne*, vol. i, 156.

[254] — *Idem*, 112, 113.

[255] *Last Journals*, vol. ii, 465.

[256] See squib in *Public Advertiser* and other passages quoted in Fitzmaur-

on terms of intimacy with him does not support this charge. Benjamin Franklin, after mentioning this reputation for insincerity, declared that he never saw any incident of it.[257] Probably the most unprejudiced testimony in regard to this phase of Lord Shelburne's character comes from Rayneval, who was sent to London in 1782, by the French minister, Count de Vergennes, to discuss certain parts of the pending treaty of peace. Rayneval was a man trained in the art of understanding men, and one of his duties on this mission was to read the character of the English minister. After having enjoyed special opportunities of informing himself he wrote to his chief the following as his mature judgment:

> Unless I am entirely mistaken he [Shelburne] is a minister of noble views and character, proud and determined, yet with the most winning manners. He takes a broad view of affairs and hates petty details. He is not obstinate in discussion, but you must convince him; still, in more than one instance, I have observed that sentiment more than reason has influenced his mind. I may add that his friends and *entourage* do him honor. There is not an intriguer or doubtful character among them. A man such as I have described is not ordinarily false or captious, and I venture to say that Lord Shelburne is neither the one nor the other, whatever persons may say who imagine that they know him, but imagine wrongly.[258]

ice, *Life of Shelburne*, vol. i, 387 ff.; Elizabeth Lady Holland, *Journal*, vol. i, 175; Rose, *Diaries and Correspondence*, vol. i, 25, 27.

[257] Franklin, *Writings* (ed. Smyth), vol. x, 358. See also the assertions of others quoted by Lord Fitzmaurice, in *op. cit.* In a letter to Sir George Savile, October 28, 1775, Dr. Priestley, who knew Lord Shelburne intimately, wrote: "I think I may venture to say that I know Lord Shelburne very well, and I would be very far from leading Sir George Savile into a mistake with respect to him. He is by no means that artful ambitious politician that he has been represented. . . You will find him frank, plain, and open like yourself." – "Savile Foljambe Manuscripts," in Historical Manuscripts Commission, *Fifteenth Report*, appendix, part v, 149.

[258] Fitzmaurice, *Life of Shelburne*, vol. ii, 182.

The reputation of any public man is dependent on such diverse elements and is based on such superficial information and illogical analyses that no satisfactory explanation of the popular estimate of Lord Shelburne can be made. The fact that, while still a youth, he was supposed to have deceived the crafty and experienced Henry Fox may have offered sufficient evidence to the public for the verdict. When the reputation was once made, his excessively suave manners somewhat French in character were an effective cause, as his descendant, Lord Fitzmaurice, points out, to arouse universal suspicion of him. The following slightly overdrawn caricature of Lord Shelburne by an enemy gives some support to this interpretation:

> He has the substantial precepts of the Earl of Chesterfield for ever in his eye, and seldom neglects the essential article of a splendid outside. . . Every syllable uttered by the Earl of Shelburne, every gesture of his body, and every motion of his face, are accompanied with a design either to invite the indifferent, to conciliate the hostile, or to flatter the friendly, by an indefatigable assiduity, by a politeness that preseveres, and a smile that never ceases.[259]

A further reason for this distrust, however, is afforded in his autobiography, which reveals his unsparing contempt for his contemporaries, who were moved according to his belief by the basest of motives. This belief expressed itself in a suspicion of his associates, in whose words and acts he was ever looking for hidden motives. James Oswald wrote of him, when still a young man: "You know the jealousy of his temper, and the impression he has already been taught to entertain of mankind. He will imagine himself betrayed and sacrificed on all hands."[260] Such a disposition

[259] [O'Bryen] *A Defence of the Right Honorable the Earl of Shelburne, etc.*, 10. This is a satirical pamphlet written in 1783.

[260] *Memorials of the Public Life and Character of James Oswald*, 415.

made frank dealing with him in politics impossible. This suspicious nature was accompanied by a presumptuous faith in his own supreme ability to save his country from the difficulties into which she was rushing.[261] He confidently believed that the practice of the economic and political principles forming his creed was the only means of gaining for Great Britain peace and glory. His was the hand to guide; but, since the people could not understand what was for their good, he felt obliged to hide from them the goal toward which he was leading them. Believing as he says in his autobiography that "Men require to be bribed into doing good, or permitting it to be done,"[262] he did not disclose to his political allies the full import of the measures he proposed; and, when they finally became conscious of his purposes, they naturally overwhelmed him with reproaches for his deceit.

Shelburne's political principles will be best understood through following his course of action as described in later pages; but, since these were slowly developed and material is lacking to trace them, it will be necessary to describe part of his philosophy as if it were a constant determinant of his whole career. A tendency to radicalism, which had marked him from the time of his first entrance into public life, finally grew into a fixed habit and prepared him in his old age for the *dénouement* of the French Revolution, the beginning of which, he, unlike Burke, watched with "sincere delight." His closest associates were in sympathy with his viewpoint, and like himself they must be placed in the advance guard of the revolutionary eighteenth

[261] Elizabeth Lady Holland who knew him only late in life calls him a "monstrous compound of virtues and failings." His temper was violent, disposition suspicious. He was impossible to live with on terms of equality, but was generous to his friends. See *Journals*, vol. i, 175.

[262] Fitzmaurice, *Life of Shelburne*, vol. i, 19.

century. Before 1763 Lord Shelburne came under the influence of the free-trade ideas of Adam Smith and David Hume;[263] and these he always advocated, although, like Adam Smith, he felt that free trade between the mother country and her colonies should be controlled in the interest of each. His friendship for Benjamin Franklin, his close association with Benjamin Vaughan and with others of similar sentiments made him a cordial sympathizer with the Americans and an advocate for the development of the colonies.[264] Even before he entered the ministry, he had become intensely interested in the welfare of the Americans; and from him the colonists had reason to expect the beginning of important policies.[265]

The position of the president of the Board of Trade which Lord Shelburne accepted was far from being a sinecure for a man of his industry and radical tendencies. Perhaps more than in the case of any other official in the British government, the holder of this office, provided he desired to be efficient, was forced into conflict for his prerogatives with other members of the administration, particularly with the secretary of state for the Southern Department who was at the head of the colonial administration and its usual representative in the cabinet. Until the year 1752 the colonial correspondence came to the secretary and all colonial patronage was under his control. Since he also had charge of the foreign relations with the southern European nations, the home affairs, and the Irish govern-

[263] Bentham, *Works*, vol. x, 187; Rae, *Life of Adam Smith*, 159; Burton, *Life and Correspondence of Hume*, vol. ii, 163; *Parliamentary History*, vol. xix, 347, 349.

[264] Franklin, *Writings* (ed. Smyth), consult index.

[265] See particularly the letter of the Earl of Stirling to Lord Shelburne in Duer, *Life of Lord Stirling*, 74.

ment, his weight in the councils of the cabinet was such that his influence on the administration of the colonies was generally decisive.

The Board of Trade which had lost in prestige during the period of the predominance of Robert Walpole was revivified by the exertions of Lord Halifax. The original purpose of the institution had been twofold: first, to collect information on trade and to make recommendations thereon to the privy council; secondly, to examine the laws passed by the legislatures of the colonies and to report on them. Here its power ended. To an ambitious man of Halifax's stamp the position afforded little opportunity; so he worked constantly for a change in the colonial office. There were many reasons why this should be done. The colonies were growing in importance and a greater supervision was becoming necessary; a divided administration was an evil; and the department of the secretary of state for the Southern Department was so burdened by the work of numerous affairs that it was impossible for one man to attend to them properly. By an order of council on March 11, 1752, the first step was taken to obviate these difficulties by bringing greater unity into the administration and at the same time partially to satisfy Halifax's ambition.[266] According to the order the Board of Trade was to have more particular charge of the nomination of officers in the colonies,[267] to receive dispatches at the same time as the secretary from the governors concerning their proceedings and acts, and to

[266] These details are taken from a document in Public Record Office, *Colonial Office Papers*, 216, pp. 14-18. Consult also, *A Miscellaneous Essay concerning the Courses*, etc.; Kellogg, "American Colonial Charter," in American Historical Association, *Report*, vol. i, 1903; Dickerson, *American Colonial Government*, 49; Fitzmaurice, *Life of Shelburne*, vol. i, 192 ff.

[267] At least this would seem to be the explanation of the repetition in more specific form of the right of the board to make recommendations.

conduct exclusively the general correspondence with the colonies.[268]

This change was not sufficiently drastic to suit Halifax, and the Duke of Newcastle took into consideration in 1753 the creation of a third secretaryship of state which should have exclusive charge of colonial affairs,[269] but no change was made. The subject came up again at the time of the negotiations between Pitt and Newcastle in 1757, when the latter promised Halifax that the new office should be created for him. Upon Pitt's refusal to have his own office thus curtailed, Halifax resigned from the Board of Trade, but in the fall was persuaded to take charge again upon being admitted to the cabinet, which was a decided advance towards the acknowledgment of the right of colonial affairs to an independent administration.[270] On account of the war this control of the colonies was limited, however, by the military authority which remained under the management of Secretary Pitt. In 1761 upon the resignation of Lord Halifax, the Board of Trade was reduced to insignificance again, and for a couple of years the colonial administration was unified under Lord Egremont as secretary of state.[271] With the treaty of peace in 1763 there was a return to the arrangement as it was established under Halifax, and Charles Townshend was appointed president.[272] This was the arrangement now made for Lord Shelburne.

[268] There were a few exceptions which were well known: (1) a correspondence affecting foreign relations; (2) in case of war. See Shelburne to Egremont, April, 1763 in Fitzmaurice, *Life of Shelburne*, vol. i, 193.

[269] British Museum, *Additional Manuscripts*, 33029, p. 104.

[270] Dodington, *Diary*, 387, 397; Lyttelton, *Memoirs*, vol. ii, 599, 601; Bedford, *Correspondence*, vol. ii, 249; Halifax to Newcastle, June 16, 1757 in British Museum, *Additional Manuscripts*, 32871, p. 323. For a good discussion see Dickerson, *American Colonial Government*, 49 ff.

[271] On March 15, 1761, New York *Colonial Documents*, vol. vii, 459.

[272] Walpole, *Memoirs of George III.*, vol. i, 193; Bedford, *Correspondence*, vol. iii, 210.

Usually the policy of the Board of Trade was determined by the president, and it is not probable that Shelburne's associates were ever really influential in formulating measures. The personnel of the Board in 1763 did not differ in character from that of earlier years, when it was regarded as the best place for young men of noble families to learn the routine of public business.[273] At this time there sat with Shelburne, John Yorke, a son of the Earl of Harwicke, Lord Orwell, George Rice, one of the king's friends,[274] and Bamber Gascoyne, a man of force and character, who had been a Pittite but was persuaded to accept a seat in April, 1763.[275] The oldest member of the Board was Soame Jenyns, who had been appointed in the time of Sir Robert Walpole's administration and was affiliated with the Hardwicke faction; his was a well known form in London both in Parliament and in society; he was a writer of agreeable verse and prose and no doubt was found useful in composing the Board's reports.[276]

More important than any individual member of the Board save the president, was the secretary, John Pownall, an elder brother of Governor Thomas Pownall. He had held the position since 1745 and was able by conforming to the opinions of the succeeding ministries to retain it until 1768, when he was promoted to be under-secretary of state for the American Department. He made a careful and painstaking secretary, was discreet in his conversation, generally humble to his superiors, but rather inflated with a sense of his own importance towards inferiors; and he occa-

[273] Nichol, *Literary Anecdotes*, vol. viii, 61, *footnote*.

[274] Walpole, *Letters to Mann*, vol. i, 23.

[275] Pitt, *Correspondence*, vol. ii, 204; Walpole, *Memoirs of George III.*, vol. i, 91, *footnote* 2.

[276] Jenyns, *Works*, vol. i, p. xlv ff.; Albemarle, *Rockingham Memoirs*, vol. i, 46, note 1; Cumberland, *Memoirs*, 247.

sionally maintained opinions of his own even against those above him. His long period of service under Halifax, whose mannerisms he awkwardly tried to imitate, had brought him in touch with all phases of the American problem, upon which he had formed views which he was ready to impart to councilors who were not so familiar with the business.[277]

Peace had finally been made, Bute had resigned, and a new ministry was in power. The greatest task to be performed was the formation of a comprehensive American policy. The success or failure of the ministers depended in large measure upon their manner of performing this duty; and the king by the advice of his favorite had selected a young, inexperienced, and unknown man to solve the complexities of this hydra-headed problem. What he should do must necessarily affect the whole future development of the new acquisitions. The West had become a real issue in British politics.

[277] *Pownall, Thomas*, 1 ff.; *Gentleman's Magazine* (1795), vol. lxv, 621; Cumberland, *Memoirs*, 102, 103.

VI. THE FORMATION OF THE POLICY

We have the management of a great empire composed of a vast mass of heterogeneous governments, all more or less free and popular in their forms, all to be kept in peace and out of conspiracy with one another, and in subordination to this country: while the whole is pervaded by the spirit of an extensive and intricate trading interest, always qualifying and often controuling every general idea of constitution and government. It is a great and difficult object: heaven grant that we have wisdom and temper enough to manage it, as we ought. – History of the First Ten Years of the Reign of George III.

The successive plans for the organization of the West which were proposed by various ministries during the years preceding the American Revolution can be interpreted only in so far as the student approaches them with a clear understanding of the decisions and the acts of the year 1763 which resulted from the consideration of the future of the new acquisitions by the Board of Trade under the leadership of Lord Shelburne. The real significance of the policy that the latter promoted, however, is to be found in the correspondence of the summer of that year and not in the consequent proclamation of October 7, which has appeared to so many historians to be the final result of his labor. The latter important document did not in many ways correspond with Lord Shelburne's intentions, and the responsibility for the blunders which it contained must be assigned to a delay in its final preparation and to the influence of other men with whom the young president had nothing in common.

The cabinet which Lord Shelburne had joined was

very far from being harmonious. Although Lord Bute had selected its members in the hope of promoting the purposes of the king, he himself had no confidence in the triumviri and, as will be seen, began within a few weeks negotiations to bring in other men. This distrust was justified by the well known jealousies existing among the ministers. Grenville was always fearful of the growing influence of Lord Halifax, and each of these was seeking to gain to his interests the Bedfords. Lord Sandwich, who was an able organizer of political machines, was pushing himself into affairs and trying to hold the balance of power between his associates.[278] As long as the Duke of Bedford held to his refusal to enter the ministry, his attitude toward the triumvirate influenced those followers of his who were serving the government.[279] Lord Shelburne, who enjoyed the complete confidence of Lord Bute and was a favorite of the closet, looked upon Halifax and Grenville as undesirable associates, and never gave them his whole-hearted support.[280] William Knox, who was at this time and later very familiar with the intrigues of the Board of Trade, has preserved the following glance behind the curtain:

[278] Consult particularly Grenville's "Diary," in Grenville, *Papers*; also Bedford, *Correspondence*. The divisions within the ministry were well known by the members of the opposition. Lord Hardwicke's interpretation of the situation was as follows: "The administration . . . is certainly divided into two parts, the triumvirate viz. the two Secretaries and the great Mr. Grenville on the one part, the supposed real favorites, my Lord Shelburne at the head, Lord Gower, Lord Sandwich, (and it is supposed) the Duke of Bedford, Rigby etc. on the other; and this last, it is thought, has my Lord Bute's secret, and acts professedly under him and for him." – Hardwicke to Newcastle, May 13, 1763 in Yorke, *Life of Hardwicke*, vol. iii, 498.

[279] This unfriendly feeling of Bedford did not end after he joined the ministry. Grenville, *Papers*, vol. ii, 121.

[280] Fitzmaurice, *Life of Shelburne*, vol. i, 147. Bristol wrote Pitt, on June 9, that "Lord Shelburne is possessed of the partiality of the closet; yet Lord Halifax is gaining ground in the opinion of it." – Pitt, *Correspondence*, vol. ii, 229. See also Grenville, *Papers*, vol. ii, 238.

> A strong jealousy of his [Shelburne's] intriguing and ambitious spirit was entertained by both Lord Halifax and Lord Egremont, but especially by the latter, who was guided in all Colonial affairs by Governor Ellis, and whose influence Pownall could not endure. He therefore stimulated Lord Lansdown [Shelburne] to underwork Lord Egremont, while Ellis incited the latter to thwart Lord Lansdown. I was consulted by both Ellis and Pownall, and saw into the whole intrigue.[281]

Lord Shelburne's favorable position in the cabinet made him bold in asserting the claims of the Board of Trade to a control of American affairs. The order in council that had been passed in 1752 to satisfy the ambition of Lord Halifax was still in force, having been revived for Charles Townshend. One of the first acts of the new president was the writing of a letter to Lord Egremont, the southern secretary, to bring about a mutual understanding concerning their respective spheres of action.[282] He assumed that the management of the older colonies was under him, but desired to obtain the opinion of the secretary about the control of the new acquisitions. Lord Egremont replied that he was unprepared to answer since he had never read the commission of the Board of Trade, and at the same time he complained of the great fatigue he had recently undergone. In response to this Shelburne assured him that he would experience greater fatigue, if the affairs of the colonies were to be put in order.[283] It is probably to this dispute that reference was made when it was said that Lord Mansfield advised the king "to show favour to Lord Shelburne in order to play them one against another."[284] Whether this is so or not, Shelburne actu-

[281] "Knox Manuscripts," in Historical Manuscripts Commission, *Reports on Manuscripts in various Collections*, vol. vi, 282. See also Yorke, *Life of Hardwicke*, vol. iii, 514.

[282] Fitzmaurice, *Life of Shelburne*, vol. i, 192 ff.

[283] — *Idem*, 194.

[284] Grenville, *Papers*, vol. ii, 238.

ally managed the American affairs as an independent department; and "he made it a point, as much as possible, to keep all the official business transacted there [the Board of Trade] as much a secret as possible from the secretary of state."[285]

The problem of the settlement of the new acquisitions was brought to an issue by a letter dated May 5, 1763, from Lord Egremont.[286] Two questions seemed to the secretary of particular importance.

> By what regulations, the most extensive commercial advantages may be derived from those cessions, and how those advantages may be rendered most permanent and secure to His Majesty's trading subjects.

These involved a further analysis.

> 1st. What new governments should be established and what form should be adopted for such new governments? and where the capital, or residence of each governor should be fixed?
>
> 2dly. What military establishment will be sufficient? What new forts should be erected? and which, if any, may it be expedient to demolish?
>
> 3dly. In what mode least burthensome and most palatable to the colonies can they contribute towards the support of the additional expence, which must attend their civil and military establishment, upon the arrangement which Your Lordships shall propose?

The secretary, in explaining the purport of these questions, drew the attention of the Lords of Trade to the privileges reserved to the French by the capitulation, and in order that they might determine intelligently how far it would be expedient to depart from the forms of the French government in Canada, he inclosed the reports of the British officers concerning the present

[285] *Parliamentary History*, vol. xix, 509. Walpole also wrote that Shelburne "affected to act minister." See Walpole, *Memoirs of George III.*, vol. i, 227.

[286] Printed in Shortt and Doughty, *Constitutional Documents*, 93 ff.

conditions.[287] The second question involved the protection of the colonies not only against European powers but also against the Indians, partial provision for which had already been provided by the secretary at war. The government, according to Egremont, had determined to conciliate the Indians by protecting their property and persons, and to secure to them the possession of their hunting-grounds, which should not be open to settlement until fair purchase thereof had been made. The secretary then passed to the question of the fisheries and of Florida. Concerning the latter he desired information about the climate and the soil. The land on the Mississippi was also to be considered and the question of the value of the navigation of the river to be discussed. The secretary realized that the determination of all these points would require time, but he requested that the Lords of Trade send a partial report as soon as convenient.

A careful reading of this letter reveals the minister's consciousness of those concrete issues inherent in the formulation of a western policy that were to divide factions, when the announcement of plans should bring into sharper relief the partisan and financial interests. Before entering upon the account of the Board of Trade's answer, therefore, a statement of the different viewpoints which were finally developed among politicians and financiers will give a better understanding of the purposes of Lord Shelburne and his colleagues and the significance of their decisions.

In the various attempts to solve the problem of the West and Canada between the years 1763 and 1774, five crucial issues were raised upon which every ministry

[287] Reports of Murray, Burton, and Gage. These are printed in Shortt and Doughty, *Constitutional Documents*, 37 ff.

was obliged to express its view. First of all came the difficulty growing out of the presence of the military force which it had already been determined to maintain in America. Passing over the question as to whether it was wise to keep such a force in the colonies, upon which there were two opinions,[288] an issue was clearly and definitely raised over the method of distributing the troops. Should they be concentrated in the eastern settlements or scattered according to General Amherst's plan at posts throughout the West? The anti-expansionists favored the former, the radical expansionists, the latter.

A second issue grew out of the attempt to organize Indian affairs. Some of the imperialists desired to create a strong, independent, centralized department for the management of the Indians. Those of more moderate views favored the subordination of the department to the military authority. Others – and this group included both imperialists and those indifferent to imperial organization – preferred to leave all the relations with the Indians to be managed by the colonies.

One phase of the organization of Indian affairs became itself of such importance as to form a separate issue. There was practically no disagreement about the necessity of running a boundary line between the land open for settlement and the Indian hunting-grounds; but the establishment of the line, whether at the Appalachian divide or farther to the westward be-

[288] Many colonists came to consider the maintenance of troops in America wrong, and there were some advocates of withdrawing them in Great Britain. Among these was Dr. John Mitchell who supported such a measure in his *Present State of Great Britain and North America.* This was published in 1767, but part of it at least was written at the time of the discussion of the Stamp Act. This thought was also expressed in Parliament in 1767. See W. S. Johnson, "Letters," in Massachusetts Historical Society, *Collections*, fifth ser., vol. ix, 229.

came an important question, as did also the interpretation of the meaning of the line, whether or not it created a permanent Indian reservation never to be entered by white settlers.

If the Indian boundary line was to be unchangeable, then settlements in the far West could not be made, and such was the opinion of the conservative anti-expansionists among the politicians. Their opponents took issue with them on this subject and urged the promotion of colonization. These latter may be divided into two classes: the moderate expansionists wished to permit settlements to be extended gradually under the supervision of imperial agents; whereas the radical expansionists were not willing that any check should be placed upon the rapid movement of the population into the newly acquired territory.

The issue raised over Canada turned on the form of government: whether it should be modeled on that of the British colonies with an elective assembly and English law, or whether the French system should be followed. By the former the immigration of English-speaking settlers would be encouraged and the Protestant religion might be promoted. Many other questions were, in the course of time, to arise out of the attempt to solve the many-sided Canadian problems and will be discussed in their proper connections.

In spite of the latitude in the discussion of the future of the new acquisitions assumed to be granted to the Lords of Trade by the secretary of state's letter, there is to be read between its lines the political principle which was to limit whatever recommendations might be made by the subordinate department. In the cabinet there were united three factions, the Grenvillites, the adherents of the court, and the Bedfordites, who

were all convinced of the necessity of developing a well-organized imperial machinery for the control of dependencies; and this belief they had determined to put to the test in the American colonies. Acting upon their principle of concentration they had already reached certain decisions concerning the future character of the western policy.

Quite in accordance with their political creed had been their concurrence in the decision to maintain a military force in America, the commander of which would in many ways limit the local autonomy of the colonies, and in the further determination to meet the increased expense entailed by such an establishment by some form of colonial tax. There is sufficient evidence in the ministerial correspondence and their later recommendations to prove that they had no intention of discarding the imperial department of Indian affairs; but rather that they were thinking of strengthening it in order to protect the Indian hunting-grounds from encroachment by the frontiersmen. That policy of prior purchase before permission of settlement which had been announced by Lord Egremont in letters to the governors was to be maintained and western settlements were to be permitted only after the above requirement was fulfilled. Other opinions of the triumvirate, moreover, are to be discerned. They were expecting both to open up for immediate colonization certain portions of the country and to create new colonies, for which purpose they regarded the land ceded by Spain as offering certain advantages. What they intended to do with the Mississippi Valley is not discoverable, although it may be judged that they viewed it favorably as a place for trade and possibly for settlement. Certainly there is nothing to show the contrary. The ministerial opinion about Canada was still in a state of flux but there was

the feeling that no complete change in the conditions left by the French should be made.

From the above review of that part of the western colonial policy which had already been determined, it appears that the broad outlines had been fixed and that there was little for Lord Shelburne to do except to fill out the details or else to reject the ministerial plans and evolve an entirely new one. With that thoroughness that he exhibited throughout life, the youthful president of the Board of Trade began a careful study of all available sources of information, seeking particularly in the archives of his own department. Here were deposited the numerous letters and reports from the superintendents of Indian affairs, the colonial governors, and others. Especially interesting to Shelburne was the report of the Albany conference and Franklin's recommendations for future western colonies, and he had copies of these and of many other documents made for his own library.[289]

The Board of Trade had also been collecting material upon the subject of this very report before Shelburne became president. At his instigation letters were now sent to several prominent men who were familiar with conditions in America to ask for information and advice on the subject. In the *Lansdowne Manuscripts* have been preserved copies of the answers, but unfortunately in the great majority of cases there is no indication as to the author or the date of the various documents.[290] The advice was so varied that it is almost impossible to generalize concerning it; but on the whole

[289] Historical Manuscripts Commission, *Fifth Report*, appendix, 217.

[290] *Lansdowne Manuscripts*, vol. xlviii. Public Record Office, *Colonial Office Papers*, 323.16, pp. 189-201. One of the men consulted at the time was undoubtedly William Knox. See "Knox Manuscripts," in Historical Manuscripts Commission, *Report on Manuscripts in various Collections*, vol. vi, 282.

the writers may be divided into two groups. The first group feared the spread of the colonies westward for reasons that were to be put forward with more and more boldness as time passed. The arguments remind one forcibly of those advanced two years before in favor of the retention of Guadaloupe rather than of Canada and were based on the older principle which estimated the value of colonies in terms of raw products of great bulk, requiring many ships to transport. Inland colonies, they wrote, would not be able to afford to pay the high cost of carriage either of their own or of the British products and would, therefore, soon begin to manufacture for themselves. After that occurred, independence must soon follow.[291]

Many of the papers, however, took for granted that the colonies would extend themselves into the interior. The writers accepted Franklin's argument that the diffusion of population over a large area would prevent the colonists from turning to manufacturing,[292] as well as his argument concerning the easy transportation of products from beyond the Alleghanies.[293] This question of the transportation of goods from the interior to the coast was later one of particular interest to every ministry, and investigations of the various routes over the mountains and down the Mississippi were being continually made. Suggestions for colonization were very general among these letters to the Board of Trade. One writer, who thought that the southern colonies were more profitable than the northern, suggested a new colony at Natchez.[294] Another writer recommended the

[291] *Lansdowne Manuscripts*, vol. xlviii, 445.

[292] Franklin, *Writings* (ed. Smyth), vol. iv, 55 ff. See particularly *Lansdowne Manuscripts*, vol. xlviii, 523.

[293] — *Idem*, 59 ff.

[294] — *Idem*, 523 ff.

division of Canada into two provinces, the westernmost to include the Great Lakes region.[295]

The recommendations concerning Canada were also varied. Most of the writers desired to see the Protestant religion gradually extended in this territory and suggested some method by which this might be accomplished. One of these advocated the erection of a Protestant capital for the province at Point Levis or at the mouth of the Sorel,[296] while two writers desired the division of the province into two parts with capitals at Quebec and Montreal. Only one of these advisers of the Board of Trade was of the opinion that nothing was to be feared from Catholicism,[297] but another was afraid of French law even and thought that all the old inhabitants should be obliged to take out new grants of land according to the English method.[298]

Florida was the least known part of the new acquisitions, and for that reason the Board of Trade made particular efforts to collect information about it. The various writers to whom requests were sent acknowledged their ignorance of the subject, but united in their glowing accounts of the land. For the most part they were familiar with South Carolina and Georgia and compared the climate and soil with those colonies, but gave the advantage in these to Florida.[299] They also

[295] Public Record Office, *Colonial Office Papers*, 323.16, pp. 189-201. See on this plan, Pownall's draft of a report, *Lansdowne Manuscripts*, vol. xlix, 333.

[296] *Lansdowne Manuscripts*, vol. xlviii, 523. Public Record Office, *Colonial Office Papers*, 323.16, p. 189.

[297] *Lansdowne Manuscripts*, vol. lxxxv, 26.

[298] — *Idem*, vol. xlviii, 407.

[299] Letter of John Walker, March 12, 1763; "Hints respecting the Settlement of Florida," no date; "Account," by J. Blackwell, no date, but late in 1763; "Thoughts concerning Florida," no date, but probably summer of 1763; Governor Grant to John Pownall, July 30, 1763; all in *idem*, vol. xlviii.

took occasion to expatiate on the value of the trade in the Gulf of Mexico. These accounts fell in with the theory that the southern colonies were more profitable than the northern, and there was no objection to Florida on account of the difficulties of trade. Therefore from the first there was every desire to open the land for settlement.

The question of the form of constitution for the new colonies was also a subject of discussion, and there is apparent a preference for the constitutions of Nova Scotia and Georgia, which were more dependent on the crown and freer from forms of republicanism.[300]

With these suggestions, which on the whole were not of great value, the Board of Trade began to formulate a policy. Exactly what the opinions of Lord Shelburne were during the summer of 1763 can not be discovered on account of the lack of information and because the policy toward the West had practically been developed by other men. His policy of three years later when he came again into a ministry with very different colleagues is easily determined, but it might lead to wrong conclusions if inferences drawn from his acts of the later period were used to explain his earlier opinions.[301] In 1767 he was most certainly opposed to many of the measures advocated by his colleagues of 1763, but during the intervening years, when he was a close adherent of William Pitt, his whole attitude

[300] *Lansdowne Manuscripts*, vol. lxxxv, 26; Public Record Office, *Colonial Office Papers*, 323.16, p. 189. Also John Pownall writes the same, see *Lansdowne Manuscripts*, vol. xlix, 333.

[301] In my essay, "The Genesis of the Proclamation of 1763" [Michigan *Pioneer and Historical Collections*, vol. xxxvi, 21] I was forced by lack of other sources of information to make just such inferences. Since that time I have learned that Shelburne's colleagues of 1763 held the same opinions as he did on most of the questions discussed in that essay, and I must give them greater credit and him less for the development of the policy towards the West.

towards the colonial conditions must have undergone many changes. It may certainly be assumed, however, that those broad principles of free trade that he had learned from conversations with Adam Smith and Benjamin Franklin were the foundation upon which he built. He had also been persuaded that the colonies must inevitably expand westward and that such expansion would be for the interests of the mother country. He was so anxious to obtain Franklin's advice upon the subject of his report that he asked Thomas Cummings to request Franklin for his thoughts on the best policy to be pursued toward the new acquisitions, but Cummings neglected to do this.[302]

After a careful consideration of Lord Egremont's letter, Shelburne realized the impossibility of attempting to include in his first report answers to all the questions propounded. The first duty, therefore, was to decide on definite limits. Three of the subjects propounded to him were far reaching in character and involved policies touching intimately the internal welfare of America; these were the maintenance of an army, the regulations of the Indian trade, and the possible contribution by the colonies to the proposed imperial establishment. The Board of Trade had not yet been informed of the final decision of the ministry concerning the disposition of troops and even later thought that this subject was open to discussion by them. Without further information on these three complicated subjects Lord Shelburne was not ready to set forth an opinion; and therefore, in his report the discussion of

[302] American Philosophical Society, *Franklin Papers*, vol. i, 81. Throughout 1763 Benjamin Franklin was very friendly to the king's successive administrations. He evidently favored Lord Bute and thought well of the government of the "triumvirate." Franklin, *Writings* (ed. Smyth) vol. iv, 181, 206, 212.

these was postponed to a future time, and a request was made that power be granted to correspond with the general-in-chief and the superintendents of Indian affairs concerning them.[303] Permission to correspond only with the latter was granted by the cabinet, and immediately the board sent off letters to obtain the needed information, but before answers arrived, the ministerial situation in England had been greatly changed and it was left to a new president to formulate these remaining phases of the policy.[304]

In the limited form of Shelburne's report there were comprehended only two broad subjects touching the West: the pacification of the Indians by assuring to them their hunting-grounds, a point upon which Egremont had laid great stress, and the erection of new colonies. Unquestionably to the ministry and the Board of Trade the former subject appeared the more vital, since the Indians had exhibited their hostility to the British during the past war and rumors had reached England of that continued discontent which had, even while the subject was being considered in England, broken out in the war of the Conspiracy of Pontiac. It was quite evident that Egremont's imperial control of the sale of Indian lands with slight modifications would meet this need. This could be accomplished by the establishment of a boundary line, beyond which the territory should be maintained for the present as a large

[303] See report, printed in Shortt and Doughty, *Constitutional Documents*, 97. The refusal of the Board of Trade to answer these questions can not be used to prove that Shelburne and his associates disapproved either of the maintenance of a military force in America or of contributions in some form from the older colonies. In fact the report leaves on the mind the opposite impression, for the Lords of Trade evidently intended that a military force for defense should be kept up and must, therefore, have realized that money for this expense must be found.

[304] — *Idem*, 108.

Indian reservation where land could be purchased only by the crown through the imperial officials in America.

There was no thought in Shelburne's mind, when he determined upon the erection of an Indian reservation, that the westward expansion of the colonies should be permanently prohibited by the measure; he was too ardent an expansionist to harbor such a thought. He found, however, that there was a party even in the Board of Trade that wished to secure by this means other ends than the good will of the natives. John Pownall, the secretary, who wrote the original draft of the report believed that the Indian reservation should be made permanent and argued at length that there was great danger of fostering independence in the colonies by permitting them to extend their frontiers farther westward.[305] It has been seen also that in some of the answers to the inquiries of the Board of Trade this idea had been advanced. Shelburne did not countenance any such idea and took care that in his communications on the subject there was no ground for an inference so diametrically opposed to his own principles. The final report of June 8 was drawn up in such a way that there was no clause in it that could be twisted into meaning that the future western advance of the colonies was to be prohibited.[306] The barrier between the colonies and

[305] This draft is found in *Lansdowne Manuscripts*, vol. xlix, 333. It is of great interest since the principles upon which it is based are quite distinct from those embodied in the final report.

[306] After recommending that civil governments be established in certain places, the Lords of Trade wrote that no civil government was needed, "where no perpetual residence or planting is intended." Mention was then made of Newfoundland and of Donegal on the African coast, where it was expected that settlers could not be induced to go; but in writing of the Indian reservation, they likewise thought that there was no need of a civil establishment here, "where no settlement by planting is intended, *immediately at least*, to be attempted" [italics added]. In the answer of Lord Egremont on July 14, the same guarded language is used. See Shortt and Doughty, *Constitu-*

the Indians could be legally passed by colonists, when the government had satisfied the Indians by purchase of land in the reservation. Thus the Indian boundary would be slowly abolished by the gradual extension of the old colonies or the erection of new ones.[307] Yet, at the same time, the Indians' rights were protected by the empire.

Having determined on this policy, the next step was to decide the location of the boundary line. On this subject John Pownall had made up his mind; and very probably, since he had been long familiar with the conditions, his was the plan that was accepted by his associates. He proposed making in general the Appalachian Mountains the line between the older colonies and the Indians; but at three points the line would not follow the divide, because both the Iroquois and the southern Indians had possessions to the east which must be guarded, while the colony of Virginia had already made settlements in the upper Ohio Valley, which the Board of Trade had every intention of promoting.[308] The final report did not designate the boundary line so exactly but an accompanying map marked

tional Documents, 102, 108. In my essay, "Genesis of the Proclamation of 1763" [Michigan *Pioneer and Historical Collections*, vol. xxxvi, 21], there will be found all the arguments for the interpretation in the text. In this volume the same are presented, but are more scattered.

[307] It is not evident which was preferred at this time.

[308] That this was the intention of the final report is also proved by a communication from Pownall to Lord Shelburne, the date of which must have been soon after the report was accepted by the ministry. He wrote to ask if "it will not be advisable to send immediate directions to the governors of Nova Scotia, New York, Virginia, and South Carolina to lay out 5 or 6 townships of 100,000 each in each province, vizt.

". . . In Virginia – 5 in the Forks of the Ohio between the main branch of the Ohio and the great Conoway River. . .

"These Townships to be set apart and reserved for the settlements of such officers and common soldiers and sailors as have been engaged in the king's service etc." This suggestion was acceptable to Shelburne. See *Lansdowne Manuscripts*, vol. lxxxv, 1.

it clearly.[309] The northeast and southern limits of the Indian reservation were definitely fixed by the territory included in the new colonies.

Lord Shelburne also gave his attention to another difficulty in this western situation, that which arose from the encroachment upon the Indians' lands by the frontiersmen. If this advance guard of American civilization could not be restrained from the lawless occupation of unpurchased territory, the policy of running a boundary line must prove a failure. The young president of the Board of Trade had reason to be optimistic about the success of his experiment, however, since he did not have behind him, as a warning, the disgraceful failure of the United States, often repeated, to protect by the same futile method the rights of the natives. The situation as it had developed was very critical. The old colonies were becoming populous and free land was no longer plentiful owing to the large tracts that were held for speculative purposes. Conditions, therefore, were crowding the pioneer home-seekers westward upon the Indians' hunting-grounds, and the peace of the border was thus in continual jeopardy. Lord Shelburne saw clearly that some of this frontier population must be diverted immediately towards less dangerous territory than the mountain region and that space for settlement must be provided for future comers. He never was a believer in coercion to attain purposes which might better be accomplished by an appeal to self-interests. Nova Scotia and the proposed new colonies of East and West Florida had abundance of unoccupied land which could be offered, Shelburne thought, on such terms as would prove attractive to those in immediate need of homes,[310] and provision for the future

[309] Careful search has been made for this map but without success.

[310] Shortt and Doughty, *Constitutional Documents*, 103, 111. In the *Lans-*

requirements of settlers could be made by the purchase of land in the Indian reservation. In this manner all possible difficulties inherent in the situation would be overcome.

The subject of new colonies received very careful investigation. It was evident that these could be located only where there was no danger of disturbing the rights of the Indians. The territory that fulfilled this condition was limited to those regions where settlements had already been started by France and Spain; but even in these there might be other considerations of moment. The contemporary opinion of Canada as a possible place for colonization, for instance, was by no means favorable and conditions existing there required most careful examination. The territory contained already a French population of about eighty thousand, whose rights and privileges were secured under the treaty of peace. The Lords of Trade thought it improbable that the English immigrants would for generations equal in number the French population; and they, therefore, decided that justice and common fairness demanded the segregation of the new British subjects in order that they might both enjoy their own laws and be held in subjection by the British troops.[311] For this

downe Manuscripts [vol. xlviii, 387] is a paper on "The Importance of settling Nova Scotia."

[311] The full significance of this interpretation will be seen in the later discussion of the proclamation of 1763. The determination of the policy must be based on Pownall's draft of the report, the report of June 8 [Shortt and Doughty, *Constitutional Documents*, 104], and the omission of the Canadian province as a place for possible settlement in the communication of August 5. See *idem*, 111. In the report the increase of the English population in Canada is proposed but this is not urged on August 5. In a report on the best means of settling the new colonies, made by the Board of Trade, November 3, 1763, the following strengthens this interpretation: "And as to Your Majesty's government of Quebec, which has already upwards of eighty thousand inhabitants, it does not appear to us particularly necessary, to make any other provision for its further settlement, or to offer any other encourage-

reason the proposed province of Quebec was limited on the West by a line drawn from where the forty-fifth parallel crossed the Saint Lawrence to Lake Nipissing. The northern boundary fell short of the Hudson's Bay Company's territory and the southern was formed by the older colonies; in other words, the colony was limited to the valley of the Saint Lawrence.[312] On account of the nature of the population and in order to secure the French "in all the Titles, Rights and Privileges granted to them by Treaty" the proposed government was to consist of a governor and council appointed by the king. The discussion of what provisions "adapted to the different circumstances and situation of this" colony should be adopted, was postponed until the governor's commission and instructions should be drawn up.

The only other territory which could be immediately opened to settlement was that ceded by Spain and that part of the French cession which lay around Mobile. In this region there was no large foreign population to be considered, and on account of the proximity of New Orleans and the West Indies it was expected that the Spaniards and French would prefer to emigrate rather than remain under a foreign flag. It was also supposed that there had already been acquired from the Indians by the former owners a large tract that might be immediately utilized by settlers. The Lords of Trade decided to recommend that two colonies, East and West Florida, be created there. The men, who it was thought knew the region assured them that the land was fertile and capable of maintaining a large population. Other attractions also must be noted. The Floridas

ments, for the present, than what are contained in the draft of the instructions, etc." – Public Record Office, *Colonial Office Papers*, 5.563, p. 121.

[312] A map of the new colonies is printed in Howard, *Preliminaries of the Revolution*, in Hart, *American Nation*, vol. viii, 4.

could produce semitropical products which the prevailing colonial theory estimated as the most valuable for the mother country. Since the new colonies were situated on the sea coast, they would not be objectionable to that party which held inland colonies as both unprofitable and dangerous; and their proximity to the Spanish possessions seemed to promise a valuable trade.[313] The form of government for these colonies was to be like that of Quebec, a governor with a legislative council; but the reason for this decision was that they had too small a population to permit representation.[314]

In the formulation of the policy thus outlined Lord Shelburne had followed the outlines which had been set for him by his predecessors, and apparently no opportunity had been granted him to mark out new courses of colonial development, since the influence of the triumvirate was sufficiently strong to prevent any radical departure from precedent. That there was disagreement between the president of the Board of Trade and his colleagues in the ministry has already been shown, but there is no indisputable source of information to connect such political disagreements with the development of the western policy. As far as the contemporary sources go, the final plan as outlined above represented the ideas of all parties.

One unconnected piece of information coming from later years gives the lie to this apparent harmony and reveals clearly how widely separated, even at this early date, were the principles espoused by Lord Shelburne from those maintained by such men as George Grenville and his supporters. That Shelburne was a radical

[313] *Lansdowne Manuscripts*, vol. xlviii, 46, 57, 63, 621.

[314] Report of June 8, Shortt and Doughty, *Constitutional Documents*, 104.

has already been shown; and there is proof that this radicalism of his made its appearance in the summer of 1763 in a discussion about the form of government to be inaugurated in the new colonies. Shelburne always despised that petty influence which is obtained by the control of patronage and for that reason was in favor of such a reform of all the colonial constitutions that sinecures and patronage might be abolished and a more democratic organization be substituted.[315] It was quite in keeping with this principle that he said in Parliament in the year 1778: "The paltry governors and low views of patronage, must be given up; they never were useful, never could be well asserted." It was in this same speech that he lifted the curtain that covers the doings of the ministry of the triumvirate when they were determining the course to be followed towards the new acquisitions. He explained to the House of Lords that he had in 1763 believed in the above principle and had wished that the governors of the new colonies should be elected by the people.[316] If his views had been accepted, there would have been established in the Floridas a local autonomy similar to that in Connecticut.

There were several men in the cabinet who must have been opposed to such a radical measure, but Lord Shelburne ascribed the defeat of his proposal to George Grenville; and it is most likely that this scion of the Grenville family, which always fattened on patronage

[315] *Lansdowne Manuscripts*, vol. lxxxv, 81.

[316] Franklin, *Writings* (ed. Smyth), vol. x, 332. The evidence that this speech was made is trustworthy. It may be questioned, however, whether Shelburne's memory of what his earlier opinion was can be accepted. Still three years later he was in favor of reforming all the colonial charters so that they might be made more democratic. In this view he was supported by the Pittites, his associates at that time, as is shown in the later narrative. See chapters x and xii.

and sinecures, would oppose most firmly a change in the method of selecting officers that would in any way decrease his power. Unfortunately there is no information on the subject of this controversy except this casual reference to it in later years by Lord Shelburne; but this short account arouses the curiosity and brings to the mind questions that can not be answered. Were any of those disagreements in the cabinet, noticed in the beginning of this chapter, caused by the radical proposals of the young president of the Board of Trade? Is it possible that Lord Shelburne's failure to persuade his colleagues to adopt his views on the subject of the form of government prepared his mind for his later resignation? Would the king, Lord Bute, and the court faction have supported such a democratic principle even if it were proposed by their own representative in the ministry?

On June 8, 1763, Lord Shelburne and his colleagues embodied their ideas, stripped of all radicalism, in a report to the king. This was received with favor by the men of influence and power. Lord Bute called it "excellent" and his opinion coincided with that of the king himself who was strongly in favor of westward expansion.[317] The ministry was also satisfied both with its recommendations and with its implied intention of opening up the West to settlement in the future. Lord Halifax had always fostered the westward movement and never changed his mind as to its necessity. Almost on his death-bed he declared, "that he was of the same

[317] Fitzmaurice, *Life of Shelburne*, vol. i, 196. Two years later, when this same ministry had failed to put in execution a policy that would make use of the great West, the king complained to the Duke of Cumberland that "no proper disposition, or at least no satisfactory one [had been] made of the new acquisitions." See Newcastle, *Narrative of the Changes in the Ministry* [Camden Society, *Publications*, new ser., vol. lix], 11.

opinion then, as he had always been, that it was the indisputable policy of this kingdom, to encourage settlements over the Allegany mountains; and by that means, prevent the Americans from establishing manufactories among themselves."[318] Lord Egremont also had always expected that such a policy would be followed. The third member of the "triumvirate," George Grenville, unlike his associates, had never served in a department dealing with American affairs, and was, therefore, very ignorant of the conditions prevailing in the colonies.[319] He was a man, however, of very decided opinions and on this particular point was in full harmony with his colleagues and the Board of Trade. In a pamphlet either written or inspired by him it is asserted: "that it will hereafter appear desirable to pass these boundaries [Indian boundary line] upon many occasions and to make settlements in remote countries, for particular purposes; but this should always be a measure of government, prudently concerted, and cautiously executed; not left to the decision of a single governor, but much less to the interested views of any individual or sett of individuals."[320]

In accordance with the decision of the cabinet, the

[318] *Statement for the Petitioners in the Case of the Walpole Company Grant* (pamphlet without title-page), 28.

[319] William Knox, one of Grenville's closest friends, is the authority for this statement. Knox, *Extra Official State Papers*, vol. ii, 32.

[320] *Regulations lately made concerning the Colonies and the Taxes imposed upon them, considered*, 20-21. Further evidence is contained in the following: "The late Mr. Grenville, who was, at the time of issuing this proclamation [of 1763], the minister of this kingdom, always said, that the design of it was totally accomplished, so soon as the country was purchased from the natives; and for that reason, and from a thorough conviction, that it was the true policy of Great Britain to encourage settlements on the Ohio, and not to confine them to the eastern side of the Allegany mountains, he early became one of Mr. Walpole's company; and earl Temple now represents and holds his share therein, for the use of his son."—*Statement for the Petitioners in the Case of the Walpole Company Grant*, 28.

Earl of Egremont on July 14, wrote to the Lords of Trade that their recommendations had been approved by the king, and he instructed them to draw up the necessary papers for the new governors, named at this time, and additional instructions to the governors of the older colonies, concerning the granting of land.[321]

On one point only was there a criticism of the report. This concerned the Indian reservation. Lord Egremont, writing for the cabinet, pointed out that no means of preserving order or of proving dominion in this region was provided, so that it might become the refuge of criminals or be taken possession of by some foreign nation. The ministry proposed that the reservation be placed under the control of the government of the province of Quebec, unless the Board of Trade should suggest some better method.[322] There is nothing to show that Lord Egremont and his colleagues had any ulterior motive in this suggestion.[323] The criticism was a just one, even more just than Lord Egremont himself realized, as later ministries were to find out. This weakness in the government of the West, due to a lack of judicial authority, was the cause of many difficulties until it was corrected in the Mutiny Act of 1765.[324] The injustice of governing the French villages by the arbitrary military power was to continue longer and

[321] Shortt and Doughty, *Constitutional Documents*, 108.

[322] — *Idem*, 108.

[323] Yet it is possible that the cabinet felt that the West could be best protected against the encroachments of the frontiersmen by the government of Quebec; and even that it might be easier to coerce the colonies to obedience by such an arrangement; but there is nothing in the available historical sources to prove that such was the intention. It seems more reasonable to suspect that the influence of the Hudson's Bay Company or other trading companies was behind this recommendation of Egremont's, but no confirmation of such a suspicion has been found.

[324] Discussed later, page 205.

was not brought to an end until the passage of the Quebec Act in 1774.[325]

The Lords of Trade were unwilling to accept the secretary's recommendation and on August 5 set forth their objections to such an addition to the power of the governor of Quebec.[326] They feared, first, that at some future time France might argue that such an extension of the province of Quebec was an acknowledgment of her earlier contention to the dominion of the whole West through the occupation of Canada; and second, that it would give the northern province the advantage in the fur trade; and third, that the governor of Canada, on account of the number of troops within his province, would become virtually the military governor of America.[327] They, therefore, proposed that a commission for the government of the Indian reservation be issued to the commander-in-chief of the troops. This recommendation was carried out and the whole West was placed under the military authority.[328]

[325] This whole question of the status of the West is ably discussed in Carter, *Great Britain and the Illinois Country*, chap. ii.

[326] Shortt and Doughty, *Constitutional Documents*, 110.

[327] The result of this decision may be studied in Carter, *Great Britain and the Illinois Country*, chap. ii.

[328] The cabinet agreed to this recommendation. See Shortt and Doughty, *Constitutional Documents*, 113. No commission to the general giving him such extended jurisdiction, however, has been found; but in a letter from General Amherst, August 24, 1763, occurs the following: "The Secretary of State having signified to me, that as my commission under the great seal, of commander in chief of all His Majesty's forces in North America, includes Florida, and the country ceded by Spain, on the continent, and likewise the country ceded by France on the left side of the Mississippi; it is the king's pleasure I should give the necessary orders to the officers commanding the troops destined for those places." – Public Record Office, *Colonial Office Papers*, 323.17, p. 49. It is probable, however, that the above refers only to a military power over the two Floridas. The whole question of what was actually done is difficult to answer. See Carter, *Great Britain and the Illinois Country*, chap. ii.

Part of the comprehensive colonial policy had now been formulated and accepted by the British ministry, and there remained only the drafting of the commissions and instructions to the governors by which means it had been determined to put the plan into operation. Undoubtedly this would have been done in either July or August, had not two events intervened. The first was the arrival of the news that the western Indians were in arms, and the second was that well known political disturbance of August which culminated in the futile negotiations to bring William Pitt into the ministry. This delay in announcing the plans for the West, which was caused by these two events occurring in places so far distant from each other, was to exercise a very material influence upon the form of the policy itself.

VII. PROCLAMATION OF OCTOBER 7, 1763

The only object of attention, which seemed left to Great Britain, was to render these acquisitions as beneficial in traffic, as they were extensive in territory. An immense waste of savage country was evidently to a commercial nation no great object for the present; but it was a considerable one in hope. – Annual Register.

The British ministry had, thus, in a comparatively short time, considering the complexities of the task, worked out a partial policy that would satisfy the present need for promoting the interests of the expanding colonies and for protecting the rights of the Indians. In the middle of July it was the purpose of the ministry immediately to execute their plan by issuing instructions to the governors of both the new colonies and the old. This they failed to do. Since the immediate occasion of the change in their plans was the receipt of alarming news of events in the colonies, a brief account of these distant happenings must break the thread of the narrative of ministerial action.

During those very weeks that the Lords of Trade were so diligently collecting information on the West and sifting the evidence contained in the various memorials submitted to them, there were occurring in that distant region some of the most stirring and bloody scenes ever chronicled in western history.[329] The out-

[329] For the purposes of this chapter Parkman's brilliant account of the Indian war, which followed the French and Indian War, has been found sufficient, and the reader is referred to his two volumes on the *Conspiracy of Pontiac.* Other volumes consulted are Wisconsin *Historical Collections*, vol. xviii, and Michigan *Pioneer and Historical Collections*, vol. xxvii.

break of the Indian war known as the Conspiracy of Pontiac was the fruit of those feelings of resentment which had been bred in the hearts of the Indians by the wrongs practiced upon them by the colonists, wrongs which Sir William Johnson had been pointing out for years. In a great measure the struggle was the logical consequence of the badly organized Indian management that had been pursued by the colonies and had not been adequately corrected by the mother country.

Chief among the abuses were those committed by the British and American traders who were too anxious to squeeze out the utmost farthing of profit and employed all manner of trickery to gain their ends. The Indians' excessive love of liquor offered to the unscrupulous traders all too easy a means of gaining an advantage. Major Rogers in his tragedy of *Ponteach* did not find it necessary to exaggerate in writing the following description of practices in the West, which he put into the mouth of one of his characters:[330]

> A thousand opportunities present
> To take advantage of their ignorance;
> But the great engine I employ is rum,
> More pow'rful made by certain strength'ning drugs,
> This I distribute with a lib'ral hand,
> Urge them to drink till they grow mad and valiant;
> Which makes them think me generous and just,
> And gives full scope to practice all my art.
> I then begin my trade with water'd rum,
> The cooling draught well suits their scorching throats.
> Their fur and peltry come in quick return;
> My scales are honest, but so well contriv'd,
> That one small slip will turn three pounds to one;
> Which they, poor silly souls! ignorant of weights
> And rules of balancing, do not perceive.

[330] The quotation is from the first act, first scene. This tragedy, edited by Allan Nevins, has recently been reprinted by the Caxton Club.

The superintendents of Indian affairs, the military officers, and the ministers knew that such practices were common. The following quotation is a typical expression of opinion in the contemporary correspondence on this subject. It is taken from a letter to General Amherst from Lord Egremont:[331]

> I can't however help mentioning to you one circumstance on this head, which is so generally affirmed and credited, that I fear there must be too much foundation for it: it is said that the Indians are disgusted and their minds alienated from His Majesty's government, by the shamefull manner in which business is transacted between them and our traders, the latter making no scruple of using every low trick and artifice to overreach and cheat those unguarded ignorant people.

This utter disregard of the rights of the natives was sure to reap its reward. There had been attempts by several of the colonies to secure better conditions, but the range of the traders was too extended and their paths too far removed from the oversight of the officers of the law for such local regulations to hold them in check.

Closely connected with the acts of the traders as a cause of the Indians' discontent was the decision of the British government that it was useless to waste much money on gifts to the Indians. The policy of the ministry at the close of the war was economy, and one means of practicing this was by the curtailment of the Indian expenses. The need of presents had been appreciated during the continuance of the war, but now that Great Britain was supreme there appeared to the average Englishman little necessity of propitiating the savages who had been allies of the French. General Amherst was largely responsible for this attitude. He despised

[331] December 12, 1761, *Johnson Manuscripts*, vol. v, 153. Sir William Johnson's letters to the ministry are full of complaints against the traders. New York *Colonial Documents, passim.* See particularly vol. vii, 953 ff.

the Indians and their power. When informed of the displeasure of the Indians on learning of the cession of the West to Great Britain, he wrote that it little mattered what the Indians thought, for it was to their interest to keep quiet. Thus Amherst, safely seated in New York, was expressing his contempt for the Indians, all unconscious that, twenty-four hours before, the British soldiers in Detroit had seen gathering around them that horde of red men under Chief Pontiac who were determined to drive the British out of the West.[332]

Far more important than traders' tricks and British parsimony was the encroachment of the settlers on the Indians' hunting-grounds. In this the land speculator was particularly guilty, for he carried into his bartering for Indian lands the low, cunning tricks of the traders. The Indians of the East had already suffered severely; the Iroquois had made many complaints of the frauds practiced upon them; and now the western Indians saw the settlers pouring across the mountains and filling up the lands granted by crown or colony to promoters or else occupying them without any legal justification whatever. The Indians found themselves face to face with that calamity which so many of their eastern brothers had suffered. No wonder their fears were aroused by the insidious tales of the French fur trader as he told them of English plans to drive out all the forest children and to settle their lands with English farmers. Their untutored minds now understood that the fall of the French meant for them the loss of the only power outside themselves that could stop this westward march. Unwilling to believe in their complete

[332] Amherst to Croghan, May 10, 1763 in British Museum, *Additional Manuscripts*, 21634, p. 233. The contemporary criticisms of Amherst's Indian policy are numerous. See an interesting letter from a gentleman in Montreal, November 1, 1763 in *Johnson Manuscripts*, vol. xxiv, 185.

desertion their ears listened eagerly to the fanciful tale of the French traders that the great king was sending an army to the Mississippi Valley to win back his lost territory, and they believed that in attacking the British posts they were only preparing the way for the return of their beloved French father.

The uprising broke out in early May. Pontiac had created among the tribes of the Old Northwest a great confederacy which even one tribe of the Six Nations joined. The British were little prepared for the unexpected attack. General Amherst, misled by his contempt for the natives, had expected to hold the vast western country in check by garrisons of a few soldiers scattered in far separated posts. During May and June one post after another was attacked. Through treachery or force, Michillimackinac, St. Joseph, Miami, Ouiatenon, Sandusky, and other small forts yielded to the Indians. Only Detroit and Fort Pitt were able to withstand the enemy. Within the space of a few weeks the whole West was lost.

The first news of the Indian war reached General Amherst at New York on June 6; but he did not think of it as of much consequence, and only six days later was he made aware of the general character and seriousness of the outbreak.[333] On the eleventh and twenty-seventh of June he wrote to Secretary Egremont concerning the revolt; probably others had written earlier than the commandant. The news proved to the Lords of Trade that the announcement of their intention to protect the Indians in their rights had been too long delayed.[334]

[333] British Museum, *Additional Manuscripts*, 21634, pp. 262, 268. On June 16, Amherst received a letter from Sir William Johnson giving further news. Parkman, *Conspiracy of Pontiac*, vol. i, 317, *footnote* 1.

[334] It has been impossible to find the exact date upon which the news of

The very first explanation of the outbreak was that it was due to the encroachment on the lands of the Indians.[335] The Lords of Trade could not have been surprised at this since they had been frequently warned of what must be the consequence of the poorly devised land policy of the colonies. The evil they had been led to fear had, however, already occurred, and their only hope was that they might alleviate the suffering somewhat by an early announcement of their beneficent intentions toward the Indians. The usual and rather indirect method of accomplishing this by sending instructions to the governors was hardly adequate in the crisis, so they proposed to the ministry on August fifth that a proclamation by the king be immediately prepared. Two subjects only were proposed to be so announced: the reservation of the Indian grounds as indicated in their report on June 8, and the inducements to be offered settlers in various places.[336] It was hoped that the announcement of the boundary would allay the fears of the Indians, and that by skillfully picturing the attractions of other places for settlement the pioneers might be drawn away from the frontier. The Board of Trade, therefore, proposed to include in the proclamation a statement of the advantages to be offered in the

the Indian outbreak reached England. In the letter of the Board of Trade of August 5, there is a general reference to Indian troubles that probably refers to such information. Shortt and Doughty, *Constitutional Documents*, 111. By the thirteenth, Amherst's letters of June 11 and 27 had certainly been received. New York *Colonial Documents*, vol. vii, 540. Since the change of plan of August 5 is very marked and can only be due to the news of the Indian outbreak, it is safe to conclude that the news reached England during the first days of August or the end of July.

[335] So it is explained in the *Gentleman's Magazine*, August, 1763 [vol. xxxiii, 413].

[336] Lords of Trade to Egremont, August 5, 1763 in Shortt and Doughty, *Constitutional Documents*, 111. The Board of Trade intended that the Indian boundary line should be the same that they had indicated in their previous report. See New York *Colonial Documents*, vol. vii, 535.

new colonies of the Floridas and in the old colony of Nova Scotia to which the ministry was particularly favorable. The French province of Quebec was not included among the places to be offered for settlement, since it had not yet been decided how far English settlement there should or could be encouraged.[337]

The importance of this recommendation must have been evident to all, yet no attention was paid to it for over a month. This momentous delay was due to the unstable position of the triumvirate ministry which seemed on the point of dissolution at the very moment that the communication of the Board was being prepared. Thus the political negotiations of this time affected indirectly the western colonial policy; and they also reveal, when rightly interpreted, the attitude towards America of both the king and the man who wielded the power behind the throne. This summer's politics in London was, therefore, very closely related to the events of the great inland valley across the ocean.

The ministry of the triumvirate had been chosen by the Earl of Bute simply as a makeshift until a stronger administration could be formed. Two methods of bringing this about seemed feasible: the existing ministry could be strengthened by the addition of the Duke of Bedford and of members of the Old Whig coalition; or, an entirely new administration could be inaugurated with Pitt as prime minister. The difficulty in the way of the first was the declared hostility of Bedford to the favorite and the impossibility of detaching individuals from their allegiance to a faction. The king's opposition to what he would regard as a purely party administration seemed to make the second method almost impossible, particularly if Pitt should insist on bringing

[337] For a discussion of this omission see page 206 ff.

in the Old Whigs with whom he was at the time closely united. Furthermore, Pitt had gained the personal displeasure of the king through Lord Temple's support of John Wilkes, the writer of the notorious *North Briton*.[338]

These latter difficulties did not appear insurmountable to Lord Bute. In the early days of June, about two months after the formation of the Grenville ministry, negotiations to secure the services of Pitt and some of the Old Whigs were begun with the Marquis of Rockingham, but they were without success.[339] A little later there was an attempt to induce some of the Old Whigs to join the ministry without Pitt, but the noble chiefs were too sure of an ultimate victory to dissolve their union.[340] At the beginning of August the king had fully determined to make a change in the ministry, and Lord Bute pressed the negotiations in earnest. Exactly what he hoped to accomplish it is difficult now to discover; but probably his statement to his agent in these negotiations, the president of the Board of Trade, Lord Shelburne, is very near the truth. After the undertaking had ended in failure he wrote:

> I scorn to deny that I was of opinion that Mr. Pitt's coming into ministry with a few of the other party would, with the king's friends who had supported his measures, have made a strong and permanent government, would have put an end to

[338] These possibilities are discussed at length by Von Ruville in his essay *William Pitt und Graf Bute*, chap. v. The king's feelings against Pitt and Temple on account of Wilkes is seen in a letter of Lord Hardwicke, May 13, 1763 in Harris, *Life of Hardwicke*, vol. iii, 351; also in Yorke, *Life of Hardwicke*, vol. iii, 495.

[339] Newcastle to Hardwicke, June 9, 1763 in "Newcastle Papers," in British Museum, *Additional Manuscripts*, 32949, p. 70, quoted by Von Ruville, *op. cit.*, 71, *footnote* 10; partially printed in Yorke, *op. cit.*, 503. Pitt's own feelings at this moment prevented such a coalition as was proposed. Newcastle, on June 30, wrote Hardwicke that Pitt said "that he never would have anything to do with my Lord Bute." See Albemarle, *Rockingham Memoirs*, vol. i, 169.

[340] Grenville, *Papers*, vol. ii, 191; Harris, *Life of Hardwicke*, vol. iii, 369 ff.; Yorke, *Life of Hardwicke*, vol. iii, 512 ff.

all the violence of party, and given the best of sovereigns a quiet and easy reign.[341]

The negotiations were opened with the Bedfords and Pitt, but the duke still nursed his enmity to the favorite, and Pitt objected to all those who assisted in making the peace, particularly Bedford, so that the attempt at reconciling differences seemed doomed to failure. The death of the Earl of Egremont on August 21 by making vacant the position of the secretary of state for the Southern Department changed the situation very greatly, and a union of forces seemed more nearly attainable. The ensuing negotiations were brought to an issue by a conference between Pitt and the king on August 27. For a moment it looked as if George III. might see inaugurated his ideal ministry with a "broad bottom;" but, pledged as Pitt was to the Newcastle faction, he found it impossible to accede at this time to the king's plans, and the negotiations were broken off.[342]

Although the attempt to bring about a change in the political alignment was a failure, it has a most important bearing on the interpretation of the colonial policy held by the king and his most intimate associates. At this time and for several years later, the ideal government which the king held constantly in view was one with a "broad bottom" under the leadership of William

[341] Fitzmaurice, *Life of Shelburne*, vol. i, 207.

[342] For these famous negotiations the following volumes may be consulted: Bedford, *Correspondence*, vol. iii; Pitt, *Correspondence*, vol. ii; Walpole, *Memoirs of George III.*, vol. i, 286 ff.; Grenville, *Papers*, vol. ii, 120, 191 ff.; Burton, *Life and Correspondence of Hume*, vol. ii, 161 ff.; Fitzmaurice, *Life of Shelburne*, vol. i; Albemarle, *Rockingham Memoirs*, vol. i, 170 ff.; Harris, *Life of Hardwicke*, vol. iii, 376 ff.; Yorke, *Life of Hardwicke*, vol iii, 459 ff.; Grafton, *Autobiography*, 29; Ellis, *Original Letters*, second ser., vol. iv, 467. Newcastle's notes in the British Museum, *Additional Manuscripts*, 32951, pp. 101, 192. The best discussion of the whole affair is in Von Ruville, *William Pitt und Graf Bute*, 74 ff., and the same author's *William Pitt*, vol. iii, 116 ff. In many ways the earlier essay by Von Ruville is more satisfactory than the later and larger work.

Pitt. One of the principal negotiators between Pitt and the king was Lord Shelburne, who was known to be most favorable to the interests of the colonies. Had Pitt been persuaded to enter the ministry in 1763 the next decision on the American question would have been made by two radicals, and George III. would have found it acceptable.

The failure left the king no choice except to purchase the support of the Duke of Bedford. By nature the duke was "hot, hasty, and violent and intentionally very honest" as Lord Holland described him, but he was always surrounded by a set of office-seekers of the worst type whose influence was strong. Their popular appellation, the "Bloomsbury gang," indicates their reputation among the public. Besides the influence exercised by his associates upon him, Bedford's opinion was warped by his wife, an ambitious woman, who could persuade the duke to undertake what his own better judgment opposed.[343] His political career had been formerly identified with that of Henry Fox, now Lord Holland. Both had belonged to the faction led by the Duke of Cumberland until the question of the peace became an issue. Bedford's union with Bute at that time drove him from the councils of his earlier associates; but he was soon joined in his new allegiance by his former comrade in politics, who was persuaded by the prime minister to lend his influence in forcing the peace through Parliament. During the negotiations with France, Bedford became exceedingly hostile to both the favorite and Lord Holland and for that reason refused to enter the Grenville cabinet, although he permitted some of his followers to do so.[344] After the failure of

[343] "Lord Holland's Memoirs," in Ilchester and Stavordale, *Life and Letters of Lady Sarah Lennox*, vol. i, 81.

[344] Albemarle, *Rockingham Memoirs*, vol. i, 177; Walpole, *Memoirs of*

the August negotiations with Pitt, the Duke of Bedford was in a very favorable position to make the conditions under which he would engage in the ministry, and the first one was that the Earl of Bute should leave the court and cease to have any communication with the king.[345] Lord Holland was also proscribed, although many of his creatures remained in the less important offices of the government.

By the accession of Bedford and the expulsion of Bute from the court the members of the cabinet were freed from an irritating and undignified subserviency and they arrogantly thought that their parliamentary support was strong enough to permit them to follow an independent course. For almost two years they were successful in holding their positions, but the actual power they wielded offered little food for their conceit. This was due to the attitude of the king towards them, which had formerly been tolerant but was now defiant. George III. never entertained a high opinion of either the ability or the honesty of the Grenville-Bedford following and he long nursed his resentment against them for the humiliating condition of excluding from his presence the Earl of Bute, in whose advice he still had confidence. The arrogance of their demeanor also awakened in his breast the fear of being reduced by their alliance to that same impotence in governmental

George III., vol. i, 206, 227; "Lord Holland's Memoirs," in Ilchester and Stavordale, *Life and Letters of Lady Sarah Lennox*, vol. i, 81.

[345] There is some obscurity about this demand, on account of the attempt of all parties to hide it; but the contemporary sources support the statement in the text. Sandwich on September 26, wrote to Bedford that "the retiring [of Bute] from the king's presence and councils is an absolute condition on which this administration stands."—Bedford, *Correspondence*, vol. iii, 250. See also Grenville, *Papers*, vol. ii, 206. In 1765 Bedford reminded the king that he had entered the ministry upon the condition of the retirement of Lord Bute, a condition proposed by the king. See Bedford, *Correspondence*, vol. iii, 280.

affairs that his immediate predecessors had experienced. From this humiliation he was saved by his own faction, whose votes in Parliament he could withhold at any time from the support of the ministry.[346] The king's experience during the period of the Grenville-Bedford régime justified in his own eyes his entrance into the field of politics with his own group of followers, since he found in them a counterpoise to the influence of the cabinet.

In this struggle for predominance the monarch had one signal advantage over his opponents; their forces were divided by jealousies. George Grenville was ambitious to be the real leader and to this the others objected. Halifax and Sandwich the two secretaries of state, were trying to create another triumvirate, while Bedford was never willing to be ignored. The Lord Chancellor Henley was playing a lone hand and was ready to leave his colleagues the moment he saw it would be for his personal advantage.[347] The result of this lack of mutual confidence weakened the power of the cabinet and encouraged the king in his belief that a change might be made at any moment.

While these political negotiations and new alignments were engrossing the attention of the politicians, the letter of Lord Shelburne and his associates of the Board of Trade pointing out that some decisive action in Indian affairs was imperative and recommending that an announcement of the imperial government's intention to protect the Indian lands should be made by a

[346] The king complained to the Duke of Cumberland that the ministry "treated him personally ill; that they forced him to do everything they would, and some things His Majesty did not like; that reversions, pensions, etc., to support themselves, were all they had in view."—Newcastle, *Correspondence* [Camden Society, *Publications*, new ser., vol. lix], 10.

[347] Grenville's diary in Grenville, *Papers* reveals the existing jealousies; see in particular vol. ii, 219, 221. The Bedford *Correspondence* should also be consulted.

proclamation remained unanswered. Such a decisive measure could not be attempted by a ministry tottering on the brink and therefore a month and a half elapsed before any decision was reached.

The man who had been responsible for the formulation of the policy and understood all its phases was not to guide the pen that wrote the final announcement. Lord Shelburne had been most intimately associated with the August negotiations. Lord Bute had selected him, as both a close friend and a representative of his politics, to make the overtures. The young lord, who had begun his political career by hostility to the Great Commoner, had, like Lord Bute, reached an opinion that a strong ministry could be formed only by Pitt. The failure of the negotiations was to him a bitter disappointment, and he saw such evidences of great deceit, that he felt he could no longer act with his former colleagues.[348] On September 2, he resigned and for the moment retained the regard of both the king and Lord Bute. The latter wrote to him that the king was only provoked at the time of his resignation, which may be interpreted to mean that there was no objection in the royal mind to Shelburne's policies.[349] From this time dates Shelburne's allegiance to William Pitt, of whom

[348] On August 30, Shelburne wrote Pitt to congratulate him on the close of the negotiations, "which carried through the whole of it such shocking marks of insincerity, and, if it had taken another turn, must have laid a weight on his shoulders of a most irksome nature, on account of the peculiar circumstances attending it." – Pitt, *Correspondence*, vol. ii, 242. The exact meaning of these oracular words has never been fully explained. Pitt's explanation of Shelburne's resignation was: "That my Lord Shelburne had declared, that the occasion of his quitting was, that he [Lord Shelburne] had given it, as his opinion, to the king, that it was necessary for His Majesty's service, that Mr. Pitt should be taken in; that things could not go on, in the hands they were, and that therefore, when that negotiation miscarried, he thought he could not, in honor, continue in employment; and act with or under my Lord Halifax and Mr. Grenville." – Newcastle's notes in British Museum, *Additional Manuscripts*, 32951, p. 192.

[349] Fitzmaurice, *Life of Shelburne*, vol. i, 207 ff.

he became a most devoted follower; and after the death of that statesman he himself became the leader of the faction.

Shelburne's successor in the presidency of the Board of Trade was the Earl of Hillsborough who was to play such a conspicuous part in colonial affairs and whose influence and associations have been so frequently misunderstood that it is necessary to examine carefully the kind of man he was. The gossipy Wraxall whose curiosity about so many lesser lights of British politics has preserved for us many a valuable pen picture, has drawn in broad lines the lineaments of this politician. He wrote:

> The Earl of Hillsborough was a man of elegant manners, and wanted neither ability nor attention to public business; but his natural endowments, however solid, did not rise above mediocrity. He had owed his political as well as personal elevation in life more to his good sense, penetration, suavity, and address, than to any intellectual superiority. At St. James's he was more at home than at Westminster, and might rather be esteemed an accomplished courtier than a superior minister. His mind was indeed highly cultivated, but it seemed to be rather the information of a gentleman than the knowledge of a statesman.[350]

This picture is borne out in general by the testimony of other contemporaries; but his opponents called his lack of political knowledge, ignorance, and his suavity and address, deceit.[351] King George III., after having experienced his arbitrariness in many offices, refused to approve his appointment as lord-lieutenant of Ireland, because he did "not know a man of less judgment than Lord Hillsborough."[352] In Parliament he did

[350] Wraxall, *Memoirs*, vol. i, 381.

[351] Walpole, *Last Journals*, vol. i, 169; Franklin, *Writings* (ed. Smyth), vol. vi, 98.

[352] George III. to Robinson, October 15, 1776 in Historical Manuscripts Commission, *Tenth Report*, part vi, 15.

not shine. His speeches, so far as they may be judged from imperfect reports, were not poorly composed, but his arguments were rather impudent than pointed. His close association with those boon companions, Henry Fox, the witty Dodington, and the elegant Halifax, had not fitted him to grapple with difficult and delicate problems and had developed an indifference to moral obligations and a belief in the necessity and justness of the arts of deception in the game of politics. He was never accused of neglecting his official duties, but he never exhibited the energy of Shelburne in collecting information upon which to base his judgment.[353] This lack of knowledge he strove to hide by such obstinacy in clinging to an opinion once formed that it was almost impossible to reason with him.

The Earl of Hillsborough's political associations, during the reign of George II. had been with the Cumberland faction, but like many others of his comrades he had retained most friendly relations with the Leicester House group. He had formed intimate friendships with Bubb Dodington, Henry Fox, Lord Barrington, and George Grenville, and had won the confidence of William Pitt. With the accession of George III. he may be counted among the independent Whigs who had associated their fortunes closely with that of the king. He remained, however, always very closely connected with Henry Fox, who was very fond of him as a man.[354]

[353] Wraxall informs us that Hillsborough was greatly embarrassed in 1781, when called upon to justify his measures recommended for Bengal, by his ignorance of names, places, and circumstances. Wraxall, *Memoirs*, vol. i, 382. For another picture of Hillsborough, see W. S. Johnson, "Letters," in Massachusetts Historical Society, *Collections*, fifth ser., vol. ix, 252, 262.

[354] Lord Holland to Selwyn, August 16, 1765 in Jesse, *George Selwyn and his Contemporaries*, vol. i, 393. Dodington's *Journal* contains the best account of Hillsborough's early associations. See particularly, 303-305. For his relations with Cumberland, see Riker, *Henry Fox, First Lord Holland*, vol. i, 359, and *passim*.

His attachment to, and admiration for, George Grenville was genuine; and, several years after that statesman's death, Hillsborough took occasion in a speech in Parliament to pronounce a eulogy upon him.[355] His appointment in the Grenville-Bedford ministry was due to his intimate friendship with Lord Halifax whom he had assisted in Ireland in 1761. Halifax no doubt was glad to secure a friend in a position so closely associated with the secretary of state for the Southern Department, a position to which he himself had been transferred at the time of the reorganization; and Grenville made no objection to this appointment of a friend of Halifax, since the latter could not be counted among the Bedford faction.[356]

Nothing in the past career of Lord Hillsborough had fitted him particularly for the position to which he was now called. Although he had served in several governmental positions, he had never held an office which dealt with the colonial problems;[357] and, except for possible conversations with Lord Halifax, there is nothing to show that he had ever given any thought to the dependencies. His first duty in the new office, when he took his seat on September 28, was to superintend the preparation of one of the most important state documents concerning America ever promulgated by the British government.[358] Lord Shelburne's recommenda-

[355] *Parliamentary History*, vol. xviii, 1268.

[356] For the intimacy of Halifax and Hillsborough see Cumberland, *Memoirs*, 183; Walpole, *Memoirs of George III.*, vol. i, 111. Lord Holland wrote in 1765: "Lord Hillsborough cannot be placed to my account: Lord Halifax brought him in, in 1763. He was very well with the last ministry; too wise to be of their opinion, and they had been wiser had they consulted him; but in a political inquisition he could not be found under my name, though he loves me, and I love him very well." – Jesse, *George Selwyn and his Contemporaries*, vol. i, 393.

[357] *Dictionary of National Biography*, vol. ix, 878.

[358] Hillsborough was in Ireland at the time of his appointment on Septem-

tion that a proclamation be prepared to quiet the fears of the Indians had lain on the table since the fifth of August, and during the intervening period more complete news of the successful uprising of the Indians had been received. Action must be taken at once.

Before Lord Hillsborough took his seat the ministry had determined to follow Shelburne's advice. Such changes in policy as may be noticed were due to Lord Halifax, southern secretary, who was esteemed for his knowledge of American affairs, but concerning whom a very competent witness, Richard Jackson, wrote to Benjamin Franklin that there was probably no one more "unfit."[359] Responsibility for the later blunders may be written down as his. On September 19, Lord Halifax sent an order to the Lords of Trade that a proclamation should be prepared. The conception of the use to which such an announcement could be put, however, had been somewhat altered with consequences little anticipated by the ministers. In his letter, Halifax did not insist on the union of the Indian reservation with the province of Quebec which had been recommended by Lord Egremont; but he did think that the proclamation could be made a convenient vehicle for informing the colonists, as well as the Indians, of all the parts of the western policy upon which the ministry had reached a decision. Thus the document was to include much more than the two points recommended by Shelburne. Halifax enumerated these as follows:

1. To make known the establishment and limits of the four new colonies, and the additions made to the governments of Newfoundland, Nova Scotia, and Georgia.

2. To declare the constitution of the new governments, as

ber 9, and the Board of Trade *Journals* show that he took his seat on September 28. The board had not met since August 5.

[359] Jackson to Franklin, December 27, 1763 in *Franklin Papers*, vol. i, 85.

established for the present, and intended in future, and the general powers which the governors will have of granting lands within them.

3. To prohibit private purchases of lands from Indians.

4. To declare a free trade for all His Majesty's subjects with all the Indians, under licence, security, and proper regulations.

5. To impower all military officers and agents for Indian affairs, within the reserved lands, to seize such criminals, and fugitives, as may take refuge in that country, and to send them to be tried in any of the old colonies (if that can legally be done) or else to that government, from which they respectively fled.[360]

Fortunately for the new president he was not commanded to formulate a new policy, but only to incorporate in a proclamation decisions already reached, with which the ministers and his colleagues, particularly the secretary of the Board of Trade, were familiar and on which they were agreed. Moreover much of his work had already been done by his predecessor. All through the month of August, while the London populace were speculating on the meaning of those negotiations with William Pitt which were so openly conducted, Lord Shelburne had found time in the midst of his political activities to give close attention to the needs of the transatlantic dominions. The wording of the proclamation, which he had recommended on August 5, appeared to him to be the most important business of his office, and upon this he worked with his customary care without, however, calling his colleagues of the Board of Trade to his assistance. Before his resignation the proclamation as he had conceived it was written; and Lord Hillsborough, on assuming his duties, found this first draft already completed and made it the nucleus to which the other clauses were added.[361]

[360] Shortt and Doughty, *Constitutional Documents*, 112.

[361] In my essay on the "Genesis of the Proclamation of 1763" [Michigan

Halifax's letter of instructions was read by the new president on September 28, the first day he took his seat; and within twenty-four hours such additions to Lord Shelburne's draft had been made as were required by the ministry. There were a few changes from the report of June 8. It had been Shelburne's intention to inaugurate the governments of the new colonies through the instructions to the governors, which had not been written as yet. Halifax's command that there be in-

Pioneer and Historical Collections, vol. xxxvi, 21], I advanced the hypothesis that the core of the proclamation, the subjects of the Indian reservation and of the inducements to settlers, had been written either by Shelburne or under his supervision. The speed with which the proclamation was prepared, the fact that these articles were carefully drawn in accordance with his views supported that hypothesis. This belief was also held in certain ministerial circles. Edward Thurlow, who as attorney-general, made a very careful examination of the documents in the case, said in Parliament during the debate on the Quebec Act: "It [the proclamation of 1763] certainly, likewise, was not the finished composition of a very considerable and respectable person, who I will not name [Lord Shelburne], but went unfinished from his hands, and remained a good while unfinished in the hands of those to whom it was consigned afterwards." – Cavendish, *Government of Canada: Debates of the House of Commons, 1774*, p. 29. Colonel Barré, Lord Shelburne's intimate friend, interpreted Thurlow's statement as follows: "He says it was left in an office; it was left a sketch, and that sketch was unfinished; it was left by one noble lord, and taken up by another, who thought proper to make considerable additions to it." – *Idem*, 38. Barré objected to Thurlow's history of the proclamation but in no place denied the above statement. That Shelburne did prepare a draft is supported by the following note by Lord Hardwicke made on a report of C. Yorke and De Grey (no date but 1766). "I am told Lord Shelburne took this proclamation on himself; that he had left a draught of it in the office. This seems strange, yet [?] nobody before guest it. H." – "Hardwicke Papers," in British Museum, *Additional Manuscripts*, 35914, p. 149. The existing draft of the document offers no evidence on the subject. This was written by one hand and none of the corrections are unmistakably in Shelburne's handwriting. According to Mr. Hubert Hall, formerly of the Colonial Office, who has made for me a careful comparison of the various handwritings involved, the body of the draft is by John Pownall's clerk, the queries were written by the attorney-general, Charles Yorke, and the corrections on the draft are in the handwriting of Pownall. The insertion, "as near as may be of England," is very similar to the handwriting of Shelburne, but it is not likely to be his. Hillsborough did not place pen to the draft. The form was undoubtedly due to the influence of Pownall, who was accustomed to make a digest of the contents of any proposed paper before handing it to a clerk. See Cumberland, *Memoirs*, 186.

cluded in the proclamation an announcement of the government "as established for the present and intended in the future" necessitated certain determinations beyond those of the previous report. There were in consequence included in the proclamation those sentences which held out to future settlers the hope of the inauguration of a representative assembly in a short period of time.[362]

A change, equally important, was made in the Indian boundary line. It had been proposed to survey a line through the forests and mountains in such a way that it would surround with the imperial protection the Indian lands east of the mountains but would open to settlement the lands of the upper Ohio, where already a number of villages were formed. It was not until after this proposal was made that it was learned that the whole West was echoing with the war whoop, that the most daring pioneers had been driven back by the Indians drunk with blood, and that the frontiers of the colonies were threatened by the horrors of savage warfare. This was not the time to parley about the rights of individuals or of land companies. There was no opportunity now for peacefully running a line by surveyor's chain. To satisfy the Indians a conspicuous and tangible boundary must be announced. This might be a tentative line in the minds of the king's ministers, but to the Indians it must appear as fixed and immutable as the ground for which they were fighting. Such a boundary was offered by the Appalachian divide. The English settlements had only reached the eastern slopes for the most part, and relatively speaking only a few of the bolder pioneers had crossed the mountains.

[362] The proclamation has been frequently printed. See Shortt and Doughty, *Constitutional Documents*, 119.

Two years before while the French and Indian War was still undecided, a secretary of state had chosen the same line to pacify the Indians' fears. The mountains could again be used for the same purpose; and so the Board of Trade wrote down this conspicuous landmark to separate the settlements from the Indian hunting-grounds. In this way the Allegheny Mountains became the temporary Indian boundary line.[363] The Indian lands lying to the east of this line were protected by other clauses in the proclamation which forbade the purchase of any Indian lands except through qualified imperial officers.

The proclamation was now hurried through to its final form. On October 1 it was referred to the attorney-general for his opinion, and after receiving a few verbal corrections by him and the Lords of Trade, it was considered on the fifth by the Privy Council; and the draft for the king's signature was ready the next day. The king himself dated it October 7, 1763. The sailing of the New York packet was postponed until the eleventh so that the printed copies of the document could be sent to America without delay.

Since no correction in the wording was made after the third of October, the total time occupied in drafting this proclamation was six days. Although rather an unusual accomplishment for the British governmental machinery during the eighteenth century, the shortness of the time in writing the proclamation is not the point to be here considered. Lord Hillsborough in later

[363] In an essay on the "Genesis of the Proclamation of 1763" [Michigan *Pioneer and Historical Collections*, vol. xxxvi, 21], I have mustered the proof of the tentative character of this line. Although more proof is advanced in this narrative than in the essay, yet the form of the latter was such that the proofs could be grouped together more definitely and concretely. To it those readers who have doubts on this point are referred.

years posed as an authoritative interpreter of the document, because he had presided at the Board of Trade at the time it was composed. Six days were sufficient to write a document after the subject matter was determined, but it was a very short time for a man unfamiliar with colonial problems to form a policy. Of all the men engaged on the production of this important document, the president of the Board of Trade was probably the least able to interpret its clauses. He came in the course of time to know it well and to place his own construction on its terms, but in forming his interpretation he was influenced by its consequences rather than by its antecedents. Of the genesis and the original purposes of its various provisions, he was and remained ignorant, obstinately so.

There were four unintended provisions in the proclamation.[364] One of these was an error due to ignorance of conditions, and the others were committed because the one who planned the policy was replaced by a man unfamiliar with its various phases. The error due to ignorance of conditions became in time one of considerable importance and trouble to successive ministries and was not finally corrected until the passage of the Quebec Act of 1774. How superficial was the knowledge of the West possessed by the British people has already

[364] The Board of Trade thought they had committed one mistake which is not here included. In letters of Governor Johnstone they were incorrectly informed that the thirty-first parallel of latitude chosen for the northern boundary of West Florida was south of some important settlements, even Mobile being north of it. This report was probably the result of intrigues of land speculators, who wished to settle along the bank of the Mississippi. On March 23, 1764, the Board of Trade recommended that the northern boundary be established by the parallel passing through the mouth of the Yazoo River and this was approved by the Privy Council. *Acts of the Privy Council*, vol. iv, 668. See a complete account in Carter, "Some Aspects of British Administration in West Florida," in Mississippi Valley *Historical Review*, vol. i, 364.

been shown, but that hardly accounts for the oversight of the ministry in not taking measures to establish some form of civil government in the French settlements situated within the Indian reservation. Yet no such provision was made. In all the correspondence about the western policy, these French villages were completely ignored, though it must have been known that they actually existed, since garrisons had been sent to occupy many of them. Absurd as it may seem, the most probable explanation is that the ministers were expecting that all the French would move across the Mississippi and all the Spaniards of Florida would take refuge in some of the Spanish colonies.[365]

The second mistake was closely allied to this. The proclamation provided for the arrest by military officers and Indian agents of all criminals who should flee from justice into the Indian reservation, but no thought was taken of the possibility of crimes being committed within the region itself, and no means of punishing such criminals were provided. Lord Egremont in his letter of July 14 to the Board of Trade had pointed out the need of some jurisdiction over this vast territory, and Shelburne had proposed placing it under the government of the commander-in-chief. This was probably done, but no powers other than military seem to have been given the general.[366] Another explanation is, how-

[365] Egremont to ——, March 16, 1763, in Public Record Office, *Colonial Office Papers*, 323.16, p. 205. As late as May 24, 1764, the Lords of Trade were surprised to learn from Governor Murray of Quebec that there were French settlements within the Indian reservation and ordered the governor to report thereon. See Board of Trade, *Journal*, in Public Record Office, *Colonial Office Papers*, 391.76, p. 231.

[366] Lord Halifax, in his letter of September 19, concurred with the recommendation of Shelburne provided it seemed necessary. General Amherst wrote on August 24, 1763, that his commission included the lands ceded by Spain and France except Quebec. See Public Record Office, *Colonial Office Papers*, 323.17, p. 49. Compare *footnote* 328.

ever, possible. In the next chapter it will be seen that the Board of Trade planned to place the Indian reservation under the government of the Indian Department, and it is probable that some such idea was already under consideration, and this may explain why no provision for courts of justice was made in the proclamation. It is more probable, however, that in the disarrangement of affairs brought on by the ministerial changes the subject of the administration of justice in the West was forgotten. In the spring of 1765 General Gage became aware of the gravity of this omission and brought it to the attention of Lord Halifax, who incorporated a clause in the Mutiny Act of that year to remedy the difficulty. By it all persons were authorized to arrest criminals and the military officers were empowered to send them to the nearest province for trial.[367]

The third error was of minor importance. It was the intention of the ministry that by the proclamation grants of land should be assured to the officers, soldiers, and sailors, who had served in America and were residing there; but the clause was so clumsily drawn that the gift was limited, so far as the navy was concerned, to those who had served at the time of taking Louisburg and Quebec.[368]

The fourth blunder was serious and of far-reaching consequence and was undoubtedly due to the replacing of Lord Shelburne by Lord Hillsborough. It has already been pointed out that the former had carefully planned to secure to the French-Canadians the priv-

[367] For correspondence concerning the subject see *Calendar of Home Office Papers of George III.*, vol. i, 529, 534.

[368] Halifax to the attorney-general, October 13, 1763 in *idem*, 314. Halifax himself was responsible, in the first place, for this error. See his letter of September 19 in Shortt and Doughty, *Constitutional Documents*, 121.

ileges promised by the treaty of peace. The boundaries of the province were drawn so that the new subjects would be segregated, their laws could be continued in force, and a government suited to their needs could be established. Both the boundaries of the French province and the form of its government were to be announced in the commission and instructions to the governor. When Shelburne proposed the issuance of a proclamation offering inducements to settlers in territory remote from the western frontier, he was careful to leave out the name of the French province from among those which were open to settlement.[369]

This plan was completely reversed by the proclamation. The decision of the ministry to include in that document several other subjects besides those that had been proposed was responsible for the blunder. The original intention had been to draw an attractive picture of the advantages offered settlers in Nova Scotia and the Floridas. It was therefore to be expected that the protection of English law would be emphasized. At the last minute the Board of Trade added still another feature by promising that a representative assembly would be shortly inaugurated. This was completely in accord with Shelburne's intentions for the Floridas. The mistake was made when there was included in the proclamation the announcement of the boundaries of the province of Quebec with its eighty thousand French-Canadians. By this inclusion all those alluring promises made to new settlers were put in force in the northern province. Legally English law supplanted French law.[370]

[369] Shortt and Doughty, *Constitutional Documents*, 104, 111. Pownall's draft of a report, *Lansdowne Manuscripts*, vol. xlix, 333.

[370] This explanation was first advanced in my essay on the "Genesis of the Proclamation of 1763;" and a careful examination of the same material

In order to make this blunder more complete the ministers ordered the clerk of the Board of Trade to copy the commission and instructions usually sent to the governors of the other provinces; and without minutely studying them to see if they would suit the extraordinary conditions of the province of Quebec, they were sent to Governor Murray.[371] It is not strange that the latter, with the proclamation and his commission and instructions before him, decided much against his better judgment that English law was to be the rule in the province. Acting in accordance with that interpretation the regular English courts, procedure, and law were introduced.[372]

As soon as Lord Mansfield, one of the king's confidential advisers, heard of this result of the proclamation, he wrote: "Is it possible that we have abolished their laws, and customs, and forms of judicature all at once? a thing never to be attempted or wished. The history of the world don't furnish an instance of so rash and un-

which I then used and other documents since made accessible to me have confirmed me in this opinion. James Marriott, later advocate-general, one of the ablest and most learned lawyers of this time, after carefully examining the documents in the case had reached a similar conclusion, when he wrote: "that the reflection never entered the thoughts of the drawers up of this proclamation, that Canada was a conquered province, full of inhabitants, and already in the possession of a legal establishment." – Shortt and Doughty, *Constitutional Documents*, 314.

[371] Printed in *idem*, 126, 132. The acts of the Privy Council passing these are printed in *idem*, 124 ff.

[372] The ordinance of September 17, 1764, is printed in *idem*, 149. In Governor Carleton's report of November 20, 1768, occurs the following sentence: "By these two ordinances, which have been transmitted to your Majesty and never disallowed, and are therefore supposed to have received the sanction of your Majesty's royal approbation, the Canadian laws and customs have been generally supposed to be abolished, and the English law and customs to have been introduced in their stead, and the judges of your Majesty's courts of judicature in this province have conceived themselves to be in conscience bound to administer justice according to the laws of England." – *Idem*, 232.

just an act by any conqueror whatsoever; much less by the Crown of England, which has always left to the conquered their own laws and usages, with a change only so far as the sovereignty was concerned."[373] Lord Northington who, as lord chancellor, had placed the great seal upon the commission to the governor of Canada, when he realized the conditions that had been created by the act of himself and his associates, called the proclamation a "very silly one."[374] Edward Thurlow, when attorney-general, said, in 1774: "If it is to be considered as importing English laws into a country already settled, and habitually governed by other laws, I take it to be an act of the grossest and absurdest and cruelest tyranny, that a conquering nation ever practiced over a conquered country."[375]

Such severe criticism of the measure and the consciousness that a horrible blunder had been committed caused those who were responsible for it to try to hide their identities. No one was willing to acknowledge himself the writer of the proclamation.[376] Explanations of all kinds were made, the most plausible being that the proclamation was addressed only to prospective settlers who were assured the protection of English law.[377] Lord Hillsborough tried in 1768 to throw all the blame on the men in Canada who interpreted the proclamation by asserting that as a member of the Board of Trade he knew that "it never entered into

[373] Mansfield to Grenville, December 24, 1764, in Grenville, *Papers*, vol. ii, 476.

[374] Albemarle, *Rockingham Memoirs*, vol. i, 353.

[375] Cavendish, *Government of Canada: Debates of the House of Commons, 1774*, p. 29.

[376] Thurlow's statement, *idem*.

[377] There is an excellent summary of the various interpretations in the "Report of Attorney General Edward Thurlow," in Shortt and Doughty, *Constitutional Documents*, 307.

our idea to overturn the laws and customs of Canada, with regard to property, but that justice should be administered agreeably to them."[378]

These explanations served only to cover up the blame or to set aside the obvious meaning of the proclamation and of the governor's commission and instructions. The wrong that had been inflicted on the French-Canadians could not in this way be corrected. The blunder which concerned Canada and the blunders in regard to the West formed a perplexing question for every later ministry. Minister after minister considered the problems, but for one reason or another no decisive step was taken. The Canadians and the French settlers of the West continued to suffer for over ten years from the blunders of their masters. For these years the correction of the mistakes of October 7, 1763, formed a part of every western policy that was laid before a British cabinet.

[378] Hillsborough to Carleton, March 6, 1768, in *Idem*, 207. He cited as a similar case the county of Kent and many other parts of England, "where Gavel-kind Borough-English and several other particular customs prevail."

VIII. THE ORGANIZATION OF THE INDIAN DEPARTMENT

The peltry or skin trade, my lords, is a matter which I presume to affirm is of the last importance to the trade and commerce of the colonies and this country. The regulation of this business has cost His Majesty's ministers more time and trouble than any one matter I know of. – Lord Shelburne.

Although much had been accomplished during the summer and fall of 1763, still the proclamation of October 7 had constructed only the framework of a western policy; and the haste of its final announcement had given to it the character of a temporary structure erected by workmen for some ephemeral celebration and intended to be rebuilt in more permanent material and in a grander style. Many parts of the future policy still remained to be determined. Besides the establishment of a proper boundary line in accordance with the original purposes of the Board of Trade's report of June 8, there was need of a decision on such vital issues as the colonization of the West and the organization of the Indian trade. The former was to prove to be throughout the years preceding the Revolutionary War the most perplexing and embarrassing of problems; and the Grenville-Bedford ministry, like many of their successors, shrank from bringing it to an issue, involving as it did the financial interests of so many influential politicians. On the subject of the management of the Indian trade they proved themselves more bold, and in accord with their predisposition for orderliness

and the centralization of powers they worked out a most consistent imperial system which they thought would prove a panacea for the evils suffered by the wards of the nation.

The ministry after the Duke of Bedford had joined it was still in favor of utilizing the new acquisitions by colonization. This was, in fact, expected of them. They had all taken upon their shoulders the responsibility for the territory ceded by France in the treaty of peace; they had preferred the West to the tropical islands; they had all argued that within those primeval forests would be found the wealth and glory of imperial Britain. Nor is there any evidence that the five men who formed the guiding committee of the cabinet had changed their opinions since the time they had so openly defended their choice in Parliament. Grenville, Henley, and Halifax had always ranged themselves on the side of the western expansionists and remained firm in this conviction throughout their lives. The two Bedfordites, Bedford and Sandwich, although they had opposed the demand for the cession of Canada, did not at this time or later try to prevent the movement of the settlements to the west of the mountains. The opinion of the new president of the Board of Trade, Lord Hillsborough, in spite of a boldness of speech and an obstinacy of mind, is always difficult to discover, but at this particular period of his career he placed himself on record as favoring a gradual westward extension of the frontier line.

With such a unanimity of opinion prevailing it might be expected that the ministry's first object would be to promote rapidly the building up of the transmontane region. This undoubtedly was their intention; and the Board of Trade under the new president took the ques-

tion of attracting settlers into the new provinces under their immediate consideration. By November 3, another report limited to the ways and means of colonization was ready. The Lords of Trade were of the opinion that no special effort should be made to attract colonists to the province of Quebec, since eighty thousand French settlers were already living there; but they did recommend that attention should be centered on the two Floridas. The report proposed that the method of township settlements used in the northern colonies be adopted and urged that moneyed men be encouraged to purchase large tracts on condition of colonizing them with British or foreign Protestant people.[379] To promote the recommendation in this report there was inserted in the London *Gazette* of November 22 an advertisement of the lands and of the conditions of sale.[380] Although the expectations of speedy settlement were not immediately realized, the ministry kept this purpose steadily in mind and in time many men, among whom were several noblemen, made investments in Florida lands, particularly in East Florida.[381]

The eyes of the cabinet were also turned to the upper Mississippi Valley and they were ready to take under

[379] Board of Trade, *Journals*, Public Record Office, *Colonial Office Papers*, 391.69, pp. 312-314.

[380] *Scot's Magazine*, vol. xxv, 627; Carter, "Some Aspects of British Administration in West Florida," in Mississippi Valley *Historical Review*, vol. i, 365.

[381] The following names of Englishmen belonging to ministerial and allied circles have been noted among the speculators in American lands: Lord Eglington, Lord Dartmouth, Lord Holland, Lord Stirling, Lord Egmont, Lord Adam Gordon, Lord Temple, Charles Townshend, George Grenville, Thomas Pitt, Sir Jeffrey Amherst. This list could be greatly enlarged. See Townshend to Dartmouth, April 9, 1766, "Dartmouth Manuscripts," in Historical Manuscripts Commission, *Fourteenth Report*, appendix x, vol. ii, 40. George Croghan found that the English were new land mad when he was in England in 1764. See *Johnson Manuscripts*, vol. xii, 127.

advisement the possibility of beginning some kind of establishment in the region that was already known in London by the name of the Illinois country. Several far western settlements had already been proposed, as has been seen, and there were others in the process of being formed. Whether the ministerialists were influenced by any of these projects is not known, for the only information about their mental attitude, at this moment, toward western expansion is contained in a letter from George Croghan, Sir William Johnson's deputy.[382] He was in London during the winter and spring of 1764 and wrote that his opinion about erecting a colony in the Illinois was desired by Lord Halifax. In June, when he was called before the Board of Trade, he took on himself the responsibility for such a proposal and supported it by a memorial.[383] None of the schemes for western settlement, however, met with any decisive encouragement from the ministry in spite of their own favoring opinion and of pressure from the king who was desirous of seeing the fruits from his treaty of peace.[384]

There were many reasons for indecision. What to do next was a perplexing problem. The news of the

[382] George Croghan wrote from London, March 10, 1764, that "there is a talk of setleing a colony from the mouth of the Ohio to the Ilonies which I am tould Lord Hallifax will desier my opinion of in a fwe [sic] days."—*Idem*, vol. viii, 202; printed in Alvord and Carter, *The Critical Period* (Illinois *Historical Collections*, vol. x), 222.

[383] New York *Colonial Documents*, vol. vii, 602; Board of Trade, *Journal*, in Public Record Office, *Colonial Office Papers*, 391.76, p. 258. The memorial is undated. There is no evidence to show that Croghan had such a colony in mind, when he left America. In fact he went to England to represent other interests and did not actively promote such a colony until two years later. His letter of March, quoted in previous note, seems to indicate a project in which he was not personally interested. It is probable that the Englishmen back of the project persuaded Croghan to advocate it.

[384] Newcastle, *Correspondence* [Camden Society, *Publications*, new ser., vol. lix], 11. See also Charles Yorke's "Journal," in Harris, *Life of Hardwicke*, vol. iii, 450.

Indian war had become more alarming since the autumn, and it was evident that the principal cause for the outbreak had been the encroachments of the colonists upon the land of the Indians who were fearful lest the whole West should soon be filled with the settlements of the white men. The continuance of the war was not without its influence on the ministers. Richard Jackson, who stood very close to Grenville at this time, wrote Benjamin Franklin that American affairs were in a critical state and that the time was not propitious for making proposals about new colonies.[385] Probably the real reason for the inactivity, however, is to be found in the ministers' ambition to make a record for economy. Grenville prided himself on his financial management. A prematurely bold western policy would add materially to the already heavy burden of maintaining the army, and this could only be justified after the plans for raising a revenue in America had been put in operation.

Although there may have been in 1764 two opinions about the value of western colonization, there was no disagreement about the other problem of the West—the need of regulating the fur trade. The war had been partly undertaken for the sake of securing this, and no member of the ministry was hardy enough to risk the hostility of the merchants and manufacturers by arguing that it was not valuable. In Canada and the Great Lakes region, Great Britain had secured control of the best available fur-producing territory in North America. It was estimated that the peltry exported from Canada during the French régime averaged one hundred forty thousand pounds annually,[386] and it was

[385] December 7, 1763, in Franklin *Papers*, vol. i, 85.

[386] General Murray's report, June 5, 1762, in Shortt and Doughty, *Constitutional Documents*, 57.

hoped that under the better business methods of the British traders the volume would increase enormously.

Up to the period when the Board of Trade began to investigate the status of the fur trade, no measures concerning it had been promulgated by the imperial government. The superintendents of Indian affairs had been appointed primarily to have general oversight over the political relations existing between the colonies and the natives; and only occasionally, and then by order of the commander-in-chief, who found their influence with the Indians very useful, did they assume a right to interfere with the activities of the traders. Military necessity was their excuse for exceeding their powers. The British government had endowed them with no such authority nor had any ministry as yet shown an inclination to interfere with the colonial regulations or to imperialize this particular branch of Indian affairs.[387] Yet the fur trade was considered in political circles one of the paramount western issues and was the occasion of many heated controversies both in the ministry and in Parliament. In this connection the testimony of Lord Shelburne is illuminating. He had followed with great care the development of a western policy from the time of the treaty of peace, and his experience led him in 1775 to describe the importance of the subject in the following words:

[387] Sir William Johnson issued to the military officers of the various western posts instructions concerning the Indian trade, which were approved by General Amherst. See *Johnson Manuscripts*, vol. xxiv, 113, vol. v, 122; New York *Colonial Documents*, vol. vii, 960. The following expresses Johnson's conception of his office. "The nature of my office is expressed in general terms in his Majesty's commission to me, but the intent and meaning of the government relative thereto is more particularly signified in the several letters I have received from the Lords of Trade who consider it as the sole and only channel through which Indian affairs of what nature soever are to be transacted, and for that purpose that I am to be supported by authority in all matters relative thereto in which the good of his Majestys service is any wise concerned." – *Johnson Manuscripts*, vol. xxiv, 158.

> The peltry or skin trade, my lords, is a matter which I presume to affirm is of the last importance to the trade and commerce of the colonies and this country. The regulation of this business has cost His Majesty's ministers more time and trouble than any one matter I know of.[388]

The question of the control of the trade was a part of the larger problem of the regulation of all Indian relations and at the time of the issuance of the proclamation the ministry felt the need of fuller information on the subject before making a definitive announcement. For that reason they had limited themselves to the mere assertion of the freedom of trade and of the necessity for all traders to obtain licenses from their respective governors and to give security that they would obey such rules as should be made in the future.[389] A basis was thus laid for the later development of imperial regulations. When the discussion of these was taken up, there was brought to a direct issue the two opposing views of the imperialists and the anti-imperialists, of those who thought that there should be created a complicated imperial machinery to insure good order on the frontier and those who preferred to leave to the local authorities the control of the West. There arose out of the issue thus formed many important questions. Should the offices of superintendents of Indian affairs be retained or abolished? Should the fur trade be placed under such superintendents? What was to be the relation of these officers to the colonial governors? Should the Department of Indian Affairs be independent of, or subordinate to, the military power? What regulations for the trade should be made? Should the colonial laws on the subject be abolished or accepted as the basis for imperial regulations? On all these subjects the proclamation had made no announcement, ex-

[388] *Parliamentary History*, vol. xviii, 673.

[389] Shortt and Doughty, *Constitutional Documents*, 122.

cept the hint that at some future time rules would be published.

The two superintendents had, on the whole, proved themselves very useful, and there does not appear to have been much objection to continuing them, although it is possible that Lord Shelburne had considered abolishing their offices in the summer of 1763 as he did in 1767. Certainly the Grenville-Bedford ministry never entertained such a proposal; on the contrary they were among those who thought that conditions demanded a strengthening of the department. The proclamation had given the governors the right of issuing trade licenses and did not confer a similar privilege on the superintendents, so that the latter had now little power to interfere with the activities of the traders, whose trickery was a constant source of irritation to the Indians. The imperially-minded ministers wished to reform these conditions by extending the protecting hand of the empire to the most western tribes. In this wish they had the support of the two men best informed on the subject. Sir William Johnson and John Stuart, the superintendents, were convinced by their personal interests and by their knowledge of the chaotic conditions existing in the West that the imperialization of all Indian affairs was the only cure that would prove efficacious. Opposed to such a drastic measure were the trading classes of the colonies, particularly those in Canada and Virginia, who preferred those looser methods hitherto prevailing which permitted the utmost freedom to the men of the frontier.[390]

Besides this expansion of their power over the traders and the Indians, the superintendents were also seeking

[390] New York *Colonial Documents*, vol. vii, *passim*; but particularly vol. viii, 655; *Johnson Manuscripts*, vol. vi, 154.

to shake off the irksome restraint of the commander-in-chief of the army. Their offices had been originally established by the order of General Braddock; and after the incumbents had received their appointments from England, they still remained dependent on the military department, which exercised an irritating supervision through the power of approving expenditures.[391] Sir William Johnson had continual bickerings over the management of his office with General Shirley, but the disagreement between the two superintendents and Sir Jeffrey Amherst was still greater and threatened to become even worse. The general never understood the character and the strength of the Indians and the importance of preserving their good will. His desire for the economical administration of his office led him to cut down first of all the expenses of the Indian Department by stopping all presents to the tribes. The outbreak of the Indian war seemed to justify the criticisms of his methods by the superintendents; and when General Amherst returned to England, he found that his former standing as an authority on all American subjects was greatly diminished.[392]

When Johnson learned from the letter of the Board of Trade of August 5, 1763,[393] that the question of the management of Indian affairs was under discussion and that his opinion was desired, he prepared a long memorial on the subject and proposed a rather indefinite plan for the future management of his department, being

[391] All bills of the Indian Department were submitted to the commander-in-chief. The military officers at the various posts had direction of the expenses of the deputy Indian agents. See New York *Colonial Documents*, vol. vii, 569.

[392] This was also due to the fact that Amherst was one of Pitt's generals. For this whole paragraph see *Johnson Manuscripts*, vol. viii, 23, 169, 202, 212; vol. ix, 19.

[393] New York *Colonial Documents*, vol. vii, 535.

careful not to expose his wishes on paper.[394] This was unnecessary because the paper was to be presented by his faithful follower and deputy agent, George Croghan, who was going to England on his private business.[395] In letters of introduction to Lord Halifax and Thomas Pownall, which Johnson gave Croghan, the former complained of the policy which had been followed as a result of General Amherst's orders and expressed the wish that a more liberal program might be adopted.[396]

Croghan found on his arrival in England that the ministers were in no hurry to push a consideration of American affairs. They felt that their own position was too insecure, expected throughout the winter to be superseded, and finally they feared to bring their American measures to a vote in Parliament. The delay exasperated the irascible Irish agent, and on March 10, 1764, he wrote Johnson:

> The pople here spend thire time in nothing butt abuseing one another and striveing who shall be in power with a view to serve themselves and thire frends, and neglect the publick. Itt was butt yesterday that your state of Indian affairs was read att the Board of Trade tho I deliverd itt the 13th of Last Month.[397]

[394] Dated November 18, 1763; wrongly dated in New York *Colonial Documents*, vol. vii, 572. For Johnson's real opinion the correspondence of Croghan noted below should be consulted.

[395] This was the ostensible reason for going; but Croghan's acts in England prove that he was the representative of Johnson. General Amherst used his influence to prevent Croghan's departure. See *idem*, vol. vii, 569, 581; *Johnson Manuscripts*, vol. vii, 178. Croghan also went as the representative of the merchants who had suffered losses during the Indian war. They were petitioning for compensation. See *idem*, vol. xxiv, 190, 191.

[396] — *Idem*, vol. vii, 215, 218. Besides these Johnson gave Croghan letters to Lord Hillsborough, John Pownall, and others. See *idem*, vol. viii, 169.

[397] — *Idem*, vol. viii, 202; printed in Alvord and Carter, *The Critical Period* [Illinois *Historical Collections*, vol. x], 222. Croghan's orthography is remarkable.

The ministry was, however, favorable to a centralized form of government and was ready to approve of Johnson's recommendation of an independent department with a separate fund. Croghan found Lord Halifax particularly friendly to the superintendent's ideas,[398] and Lord Hillsborough was not opposed to them. Many friends throughout the winter used their influence to forward the wishes of the superintendents; but it was not until early summer, after the adjournment of Parliament, that the Board of Trade took the subject of the management of Indian affairs into serious consideration. Between June 7 and 15, 1764, the letters from the two superintendents, Johnson and Stuart, were read, Croghan was examined, and a plan formulated.[399] This was copied and ready for distribution by July 10. Its final form was no doubt due to Lord Halifax and Lord Hillsborough, but the ideas embodied in it were brought by Croghan from America. Colonial diplomacy and Grenville-Bedfordism had united and triumphed.

As formulated, the plan proposed an Imperial Department of Indian Affairs which should be independent both of the military commander and of the colonial governments. For purposes of administration the tribes were grouped in two districts, a northern and a south-

[398] *Johnson Manuscripts*, vol. viii, 202; vol. ix, 19. See also Thomas Harris's letter to Johnson, March 13, 1764, in *idem*, vol. viii, 212. John Pownall, the secretary of the Board of Trade, had in mind a plan which might provide an office for his brother, the governor, according to Croghan's information. See *idem*, vol. ix, 53.

[399] Board of Trade, *Journals*, in Public Record Office, *Colonial Office Papers*. The plan was first considered December 6, 1763, then on January 16, and then not again until June. Croghan to Johnson, July 12, 1764, in *Johnson Manuscripts*, vol. ix, 132. The plan is printed in New York *Colonial Documents*, vol. vii, 637; Shortt and Doughty, *Constitutional Documents*, 433; and Alvord and Carter, *The Critical Period* [Illinois *Historical Collections*, vol. x], 273.

ern, the Ohio River being approximately the boundary,[400] and over each of these there was to be a superintendent. The northern district was to be divided into three subdistricts and the southern into two, in charge of each of which a deputy was to be appointed. According to the plan the subdivisions of the two southern subdistricts should follow the limits of the various tribes, whereas the northern subdistricts were divided into small areas within each of which a trading post was to be established. Within each of the smaller subdivisions the superintendents should be represented by a commissary who should be assisted in the performance of his duties by an interpreter and a smith. According to the list of tribes attached to the report this would create thirteen such subdivisions in each of the districts.[401] The department was to be given complete control of all public Indian affairs, and the military officers and governors were to be forbidden to hold meetings with the Indians without the concurrence of the superintendents; but, on the other hand, the latter should act and advise with the governors.

The main purpose of these regulations was to secure the protection of the Indians from traders, settlers, and land speculators. The traders were to be obliged to take out licenses as hitherto from the governors and at the same time to name the posts or Indian towns where they intended to trade and to give bond that they would abide by the regulations. Upon entering the Indian

[400] The Board of Trade preferred the grouping by tribes to a geographical division. See their letter in New York *Colonial Documents*, vol. vii, 635.

[401] — *Idem*, vol. vii, 635, 973. The intended posts were La Baye, Michillimackinac, Detroit, Illinois (Fort de Chartres), Ouiatenon, Miami, Niagara, Oswego, Pittsburgh, Checoutemi (in Canada), Fort Cumberland, Fort Frederick, Fort Halifax (last two in Nova Scotia). In the list sent by the Board of Trade in 1764, Ouiatenon is not named, but Sir William Johnson in his list includes it, but omits Pittsburgh and Fort Cumberland.

country all traders would pass directly under the supervision of the Indian office, and were to be compelled to present their licenses to the commissaries of the posts or tribes. The latter were empowered to establish the tariffs on the goods to be sold, to prevent the sale of rum, swan shot, and rifled barrelled guns, and to establish limits beyond which the trade was under no circumstances to be permitted. For the maintenance of order at the post, the commissaries should exercise the power of justices of the peace and try all civil suits between traders or between traders and Indians, and in criminal actions they were to be authorized to commit for trial. In cases involving more than ten pounds sterling, appeal might be taken to the superintendents, who should possess final jurisdiction. In all suits the testimony of Indians was to be taken.

For the protection of the Indian hunting-grounds from settlers and land-jobbers, the same prohibitions concerning the purchase of lands, as were contained in the proclamation, were repeated. The Lords of Trade were persuaded to put into effect the plan of running such a boundary between the settlements and the Indian hunting-grounds, that the territory of the Iroquois and of the Cherokee east of the mountains might be marked off and that the land around the upper Ohio might be immediately opened for settlement, thus providing for westward expansion. It was expected that a sum of money would be appropriated to execute this proposal.[402] This was entirely in keeping with Shelburne's purposes of the previous summer. There was some discussion on this subject, because some members of the Board of Trade thought that the purchase of land

[402] At least, such was Croghan's impression. See Johnson to Gay, April 6, 1768, in *Johnson Manuscripts*, vol. xvi, 65.

would be a recognition of the legal ownership of the Indians and would make void the claim that the West lay in the royal domain, created by the treaty of peace. This opinion was, however, given up, and the project of a boundary line was incorporated in the plan. It was probably the intention that the land thus opened to settlement by this boundary should not be granted by the governors of the royal colonies, but should be sold in small plots by the imperial government.[403]

The western colonial policy had now been rounded out. Its character was truly imperial and would have created, if put into operation, a highly centralized government in the Mississippi Valley. Through the Military Department the arm of the empire had been stretched out over this newly acquired territory and was limiting in many ways the colonial administration. Should this Indian Department be inaugurated with its autocratic authority intrusted to two superintendents, who were to be responsible only to the ministry, the power of the colonies must have been still further circumscribed. In the end no such system in its entirety was authorized, but the Grenville-Bedford ministry should be credited with a serious attempt to solve the difficult and complex problem of the West; and whatever one's opinion of the results may be, it must be acknowledged that they had boldly faced the difficulties and had devised a comprehensive imperial program with provision for most of the possible exigencies.

The great stumbling block in the way of inaugurating such a system was the cost, which was estimated at twenty thousand pounds. In order to meet this expense, it was planned to lay a tax on the fur trade. To do this would have required an act of Parliament, but the min-

[403] This was Croghan's interpretation. Croghan to Johnson, July 12, 1764, in *Johnson Manuscripts*, vol. ix, 132.

istry never saw the time when they dared to bring their plan to such an irrevocable issue; and while they were still hesitating, they were dismissed.

The western policy had not occupied exclusively the thought of the ministers. It had been recognized in governmental circles that the old colonies themselves presented a very difficult and delicate problem. The constitutions of most of these had been formed during the seventeenth century, when the future importance of the colonial possessions was little understood. Recklessly imperial rights had been granted away to corporations and individuals with the result that the mother country found herself ruling over practically free communities whose governments were ill adapted to the unity of an empire, as it was conceived in the eighteenth century. To most of the British politicians some material alteration in the constitutions of these various royal, charter, and proprietary colonies seemed necessary to make them an integral part of the whole. Many proposals for such changes were made, but since they were never carried out and did not affect the western policy, they need not be discussed here. It would have been a bolder and more harmonious ministry than any that governed the empire of George III., that would have dared attempt such fundamental changes, for at no time were the minds of the men in political circles united on the best method of procedure. On the one side were the Bedfords with a belief in the complete subordination of the colonies, and at the other extreme was Lord Shelburne advocating an autonomy as complete as that of Connecticut but with a more consistent democracy. Between the two views there was no reconciliation possible. The ministers also realized that the discussion of the subject would raise a dangerous

issue between the home government and the colonies. The only course open was to avoid in the future the mistakes of the past, when new colonies were to be formed.

The imperial policy which had been decided upon entailed a larger expenditure for the colonial government than had been customary. The army alone cost two hundred twenty thousand pounds annually more than before the war. The first cost of the new colonies also fell upon the mother country. To the eighteenth-century statesman it seemed only just that part of this extra burden should be shifted to the colonies. This was felt to be particularly the case with the expense of the army and of the Indian management, in both of which the colonies seemed to be most directly interested and from which they were to derive the benefit. When such a revenue was first suggested in the winter of 1762-1763 and even later when under discussion, there was no objection and even the colonists appeared to feel the force of the reasoning.[404]

If the Grenville-Bedford ministry was to put into operation all the phases of their imperial policy, it was of the utmost importance that this new source of revenue should be immediately drawn upon. At the various stages in the development of their comprehensive program there had doubtless been some general understanding as to its character among the members of the steering committee; still, on account of their mutual jealousy there could not have been much interference from other ministers with the work of the secretary of state and his assistant, the president of the Board of Trade. The finding of the money to finance the various

[404] It is not my intention to write the history of the Stamp Act, particularly as this has been done so satisfactorily by Mr. Beer, in his *British Colonial Policy, 1754-1765*. Its interest in this narrative lies in the fact that an issue was raised by it which obscured the other colonial questions.

operations such as supporting the army, establishing the new colonies, and the creation of an independent Indian Department was the duty of other offices, those of the first lord of the treasury and of the chancellor of the exchequer, both of which positions were held by George Grenville. He had never been in a ministerial position which had made it necessary for him to apply his strictly legal mind to the details of colonial affairs and for that reason had never mastered the complexities of American geography or politics.[405] In financial affairs, however, he was a man of ability and in this instance he was ready to assume the responsibility for a measure which had devolved upon him by the decisions of his predecessors and of his colleagues; even the details of the notorious Stamp Act and of the other financial measures which were adopted to raise the required revenue, were in all probability not his own work.[406] There was practically no opposition to Grenville's bills, since all factions readily believed in the necessity of them. In fact so universal was this belief that the agents of the colonies, who were given an op-

[405] William Knox wrote thus of him: "He was not well acquainted with the internal state of Ireland, and he knew still less of the circumstances of the American colonies, and every encouragement that he thought either ought to receive, had no other reference than the increase of the trade or revenue of this country." – *Extra Official State Papers*, vol. ii, 32. In Albemarle, *Rockingham Memoirs* [vol. i, 249] is preserved that famous remark of Lord Essex's, so often quoted by historians: "Mr. Grenville lost America because he read the American dispatches, which his predecessors had never done." This is one of those quotable phrases that seem to sum up a whole epoch and contains as little truth as similar ones. American affairs had become so important long before the Grenville ministry that ministers, such as Halifax and Egremont, had devoted most of their time to studying the dispatches.

[406] For these various acts, see "Considerations on the trade and finances of this kingdom, etc.," in *Scarce and Interesting Tracts*, vol. ii, 144; Beer, *British Colonial Policy, passim.* In 1777 Jenkinson, who was in close touch with Grenville during the time of the latter's ministry, declared emphatically that the Stamp Act was not originated by Grenville. See *Parliamentary History*, vol. xix, 268.

portunity to point out objections, kept silent until word of the tumultuous reception of the stamp tax in America was received in England. The idea of colonial taxation was connected specifically with the support of the military establishment and not with that of the Department of Indian Affairs, but the issue which was raised by its promulgation involved all parts of the imperial policy which the ministers were intending to inaugurate. So acrimonious and tumultuous was the turmoil raised by the questions of taxation and of representation that the burden of the discussion was shifted from the comprehensive program to these particular phases of it. Upon an incident of the colonial policy there was formed a battle line and by the smoke of the engagement the original purposes of the ministry were so obscured that only occasionally did a later minister catch a clear view of what the real issue should have been.

IX. THE PLANS OF THE OLD WHIGS

The unsettled state of the ministry, ever since the Parliament rose, has stopped all proceeding in publick affairs, and ours amongst the rest; but, change being now made, we shall immediately proceed, and with the greater chearfulness, as some we had reason to doubt of are removed, and some particular friends are put in place. – BENJAMIN FRANKLIN.

King George III., grown weary of Grenville's tiresome sermons and still nursing his resentment against the Bloomsbury Gang for their banishment of Lord Bute, had been waiting for some time for an opportune moment to dismiss his ministers. The reasons he assigned for this decision were: his fear of their purposes, their general incompetency, the discontent they had aroused in America, and their failure to make a proper disposition of the new acquisitions.[407] After making up his mind the king, with a complete disregard of his solemn promise, had recourse to the advice of the Earl of Bute. The latter, still confident in his own political

[407] In his complaint of the ministry, the king told the Duke of Cumberland that he "found nothing done; North America greatly discontented, and no proper disposition, or at least no satisfactory one, made of the new acquisitions there." – Newcastle, *Narrative* [Camden Society, *Publications*, new ser., vol. lix], 11. The king also told Charles Yorke that the ministry had neglected "the colonies and the new conquests." – Charles Yorke's "Journal," in Harris, *Life of Hardwicke*, vol. iii, 450. Grenville told William Knox that the king's explanation of the dismissal was that "he [the king] understood a plan was formed to give the law to him. . . The Regency Bill no part of the reason for his dismission." – "Knox Manuscripts," in Historical Manuscripts Commission, *Report on Manuscripts in various Collections*, vol. vi, 251. The same explanation is in Grenville, *Papers*, vol. iii, 213. See also Stuart Mackenzie's account in Caldwell, *Papers* [Maitland Club *Publications*], part ii, vol. ii, 36.

judgment, felt certain that the time was now ripe for the inauguration of a "broad bottom" ministry with Pitt at its head, the coveted ideal which he had so signally failed to secure in the summer of 1763.[408] His plan was similar to his former one, the union of the Old Whigs and of the followers of Pitt with the court faction. The monarch's consent to a return of the Whig oligarchy was announced by the employment of the Duke of Cumberland as a negotiator.[409]

The king and his favorite were in the conception of their plan misled by a fundamental misunderstanding of the situation. They knew that the Old Whig faction needed and desired the support of Pitt, and from Pitt's demands in the summer of 1763 they naturally concluded that he was willing to act in unison with the Whig lords and would come into the ministry upon the acceptance of his former conditions. In this, however, they deceived themselves. Pitt's political views were based on principles so widely separated from those advocated by the followers of the Duke of Newcastle and the Marquis of Rockingham that it was only under stress of circumstances that he could bring himself to act with them, and he never could have become a colleague in a ministry that stood exclusively on their platform. The Old Whigs demanded the control of government by the revolutionary families such as had ex-

[408] Although for the interpretation of British colonial policy, these negotiations of the spring and early summer of 1765 are very important, it is impossible to enter into the details here. The best narratives of events may be found in the Duke of Cumberland's statement, in Albemarle, *Rockingham Memoirs*, vol. i, 185 ff.; Newcastle, *Narrative*; Bedford, *Correspondence*, vol. iii, 278 ff.; Lyttelton, *Memoirs*, vol. ii, 676; Harris, *Life of Hardwicke*, vol. iii, 444 ff.; Grenville, *Papers*, vol. iii, 39 ff., 143 ff.; Grafton, *Autobiography*, 45, 51; Walpole, *Memoirs of George III.*, vol. ii, 66 ff.; consult Von Ruville, *William Pitt und Graf Bute*, and also the same author's *William Pitt*.

[409] A list of the ministers proposed in the June conference may be found in Grenville, *Papers*, vol. iii, 201.

isted in the time of Robert Walpole. These were to them the good old days they wished to bring back. Pitt's eyes were turned towards a future when internal peace should be established by the annihilation of parties and factions. He would make Bolingbroke's dream a reality. The Old Whigs stood for the maintenance of existing conditions in the home administration, in the imperial organization, and in the government's relation to the business of the large corporations. Conservatism was their motto. Pitt was a radical and demanded reform in every direction. His mind conceived a world empire with a modern organization wherein special interests, whether financial or political, would cease to exercise an overwhelming influence.

The personal factor was also a powerful one in Pitt's decision not to unite at this time with his former associates. Although the Duke of Newcastle had been his principal supporter in his great war ministry, Pitt had never learned to trust him. This distrust of the crafty leader of the oligarchy seemed amply justified by his desertion in 1761, a circumstance which Pitt never forgave nor forgot. The political supremacy of Lord Bute and the treaty of peace had thrown Pitt and Newcastle together in opposition for a few months, at which time there occurred those famous negotiations of August, 1763. Since that date Pitt had been withdrawing himself from that uncongenial alliance and had more than once asserted in Parliament that he was unconnected. His personal dislike of the duke was again in the ascendency.[410]

[410] The letters in Pitt's *Correspondence* for the year 1765 prove this without a question of a doubt. See particularly Pitt to Nuthall, December 10, in *idem*, vol. ii, 345; Pitt to Shelburne, December, 1765, in Fitzmaurice, *Life of Shelburne*, vol. i, 256. In the next chapter it will be shown more fully how different were the platforms of the Pittites and of the Old Whigs.

One other factor in the failure to form a coalition ministry should be noticed. Pitt required at this time the cordial support of his close ally and brother-in-law, Lord Temple, if he were to take office. Their estrangement for several years from Temple's brother, George Grenville, had cemented their union still further; but just at the time of these negotiations a reconciliation between the brothers took place, which aroused in Lord Temple certain "delicacies," due to a dislike to supplant so near a relative or, perhaps, to the hope of becoming the leader of a reunited faction, in which Pitt would not exercise the supreme power.[411] Besides his "delicacies" Lord Temple had retained a stronger prejudice to the Earl of Bute and his followers than had his brother-in-law so that he was unwilling to enter into a ministry supported by that influence.[412]

The failure of these negotiations with Pitt, which lasted from May to July,[413] and the king's personal dislike of the Grenville-Bedford ministry forced him finally to call to office the Old Whigs. This faction was passing at this moment through a period of rejuvenescence. Through the recent death of Lord Hardwicke one connection with its reactionary past had been severed; and the Duke of Newcastle, though ready as ever for office at any price, was no longer universally and unquestioningly looked upon as the sole dispenser of favors and the only safe guide to political preferment.

[411] This is Lord Lyttelton's opinion, *Memoirs*, vol. ii, 681. See also Von Ruville, *William Pitt*, vol. iii, 151.

[412] Newcastle, *Narrative* [Camden Society, *Publications*, new ser., vol. lix], 13.

[413] There were two distinct negotiations with Pitt, and attempts were also made to form a ministry out of scattered elements. After the failure of the first overtures to Pitt, the king was obliged to retain the Grenville-Bedford ministers under conditions which made him still more anxious to free himself from them.

To take the place of these older leaders, there had arisen to influence in the council young men with high ideals and with an enthusiasm that was causing new warm blood to course through the hardening arteries of the ancient coalition. Under the influence of this new life, an idealism that was conservative in clinging to a tradition of a glorified past and yet was progressive in its anticipation of the coming age of reform was replacing the "standpat" Whiggism of the Pelhams and the Yorkes. Still the Old Whigs had not developed during the short period of exclusion from office any leaders of great power or personal magnetism such as ruled in the affairs of the Pittites; and the new administration, formed by them in July, 1765, was remarkable for the youth and the lack of experience of the men composing it rather than for the wisdom and grandeur of its purposes and accomplishments.

The Marquis of Rockingham, who must from now on be regarded as the leader of his faction, was selected as the chief minister in the cabinet. He was a comparatively young man possessed of mediocre talents, inexperienced in official duties, adverse to mental labor, and better known on the turf than in politics. On the other hand he was honest, of good ideals, at least steadfast in purpose, if not stubborn. His political platform was inherited from Robert Walpole and the Pelhams, and he advocated the predominence of Parliament under the Whig nobles of his alliance and the non-disturbance of existing rights.[414] The other members of the ministry were for the most part educated in this traditional creed of the Whig oligarchy and had little in common with

[414] Walpole, *Memoirs of George III.*, vol. ii, 139; Albemarle, *Rockingham Memoirs*, vol. i, 140; Wraxall, *Memoirs*, vol. i, 349; *Dictionary of National Biography*.

the radicalism of the Pittites or with such Toryism as was to be found in the court faction. The new secretary of state for the Southern Department was General Conway. He was notoriously a man of indecision, and was wavering at this very moment between his allegiance to the Old Whigs and his admiration for William Pitt. Every decision, painfully reached by his unstable mind, must be credited to the influence of Horace Walpole. Conway possessed no special knowledge of colonial affairs – a fact doubly important since these were to reach a crisis under his administration. If Conway were to be secretary, the Marquis of Rockingham's selection of a president of the Board of Trade should have been carefully considered. The first candidate picked out for this position was the Earl of Shelburne, a choice that was dictated solely by the desire to secure the cooperation of the latter's friend, William Pitt; but the Pittites were not selling their services to what they regarded as a reactionary administration.[415] Upon the refusal of Lord Shelburne, the Old Whigs appointed one of their own number, Lord Dartmouth.

The character of Lord Dartmouth, on account of the simplicity of its lines, offers few difficulties to the historian. Like many of his associates in the ministry, he was relatively a young man, having just passed his thirty-fourth birthday, and like most of them, also, he was wholly inexperienced in public affairs, this being his first ministerial position. His speeches in Parliament, where he had consistently spoken on the side of the Old Whigs, had won for him a good reputation; but the chief impression made by his personality upon his contemporaries was one of great piety, honesty of pur-

[415] Fitzmaurice, *Life of Shelburne*, vol. i, 231 ff.; Albemarle, *Rockingham Memoirs*, vol. i, 234 ff.

pose, and mildness of manners. The novelist, Richardson, is reported to have said that Lord Dartmouth would be similar to the character of Sir Charles Grandison, if he were not a Methodist. The poet Cowper alluded to him in "Truth" as "one who wears a coronet and prays."[416] The Countess of Huntingdon, enthusiastic Methodist, regarded him as the fittest person to continue her work in case of her death.[417] Such characterizations reveal very amiable virtues but they belong to the private life rather than to the public; and it was the fate of this nobleman at two critical periods in the history of the British empire to be called to important public offices, in which he did not win the favorable opinion of his contemporaries. He proved himself to be lacking in force of character by consenting to father measures proposed by men whose motives were at least doubtful, and to be wanting in administrative ability and constructive leadership. He was often chosen on account of his reputation for honesty and piety to defend measures during their passage through Parliament, but it would be difficult to find one statesmanlike measure for which he was responsible. Wraxall, who reflects fairly well the contemporary opinion concerning public men, dismisses Lord Dartmouth with these words of contempt: "In his public character, whether in or out of Parliament, he attracted no share of general attention, and lays claim to no place in the history of his time."[418] Throughout his life he was regarded by Americans with particular favor and was esteemed a friend of the colonies. This was very evident at the time of his later appointment in 1772, when

[416] Southey, *Life of Cowper* (1836), vol. i, 243, quoted in Walpole, *Memoirs of George III.*, vol. i, 200, *footnote.*

[417] *Life and Times of Selina, Countess of Huntingdon*, vol. ii, 12.

[418] Wraxall, *Memoirs*, vol. i, 415.

letters from all parts of the oversea dependencies were written him in congratulation of his promotion.[419] Lord Dartmouth, though below the average of his associates in intelligence, represented in his virtues and faults the type of the Rockingham ministry. It consisted of amiable and honorable young men whose ideals and policies were in a plastic stage of growth, but whose heritage and training still held them bound to the political practices and teachings of the past as expounded by such trained manipulators as the dukes of Cumberland and Newcastle.[420]

The most important act of this ministry was the repeal of the stamp tax, the announcement of which had been received with an outburst of hostile criticism by the Americans. An unanticipated issue that was to become a permanent cause of irritation was thus raised between the colonies and the mother country and appeared so momentous to the minds of the British politicians that the critical situation in the West was often totally obscured. Over this issue factions in Parliament were divided. Even among the supporters of the ministry there was a difference of opinion. The chief adviser, the Duke of Cumberland, was opposed to the abrogation of the tax, but his death, although a disaster to the ministry in other particulars, made it possible for them to determine on a radical measure for the relief of the colonies. The Yorkes were in sympathy with the duke's position and did what they could to obstruct the con-

[419] Besides the above references consult the *Dictionary of National Biography*, art. "William Legge, 2d, Earl of Dartmouth."

[420] The Duke of Newcastle in spite of his complaints of neglect exercised very considerable influence upon the course of events. See Newcastle, *Narrative* [Camden Society, *Publications*, new ser., vol. lix]. The former Cumberland faction was already practically disintegrated and the members who were still loyal were closely allied with the Old Whigs.

templated action.[421] On the other hand Rockingham and his two secretaries of state were in favor of an immediate repeal accompanied with an act declaring the supremacy of Parliament over the colonies, although probably they would not have dared to advocate so bold a course, had they not received the enthusiastic support of the Pittites.[422]

Of vital interest to the administration was the attitude of the court faction upon which the ministry's majority in Parliament depended and from which two of the leaders in the House of Lords were chosen.[423] Two reasons may be ascribed for the opposition of the king's followers to the repeal of the tax. Their policy from the first had been to build up the dignity of the monarchy and to emancipate the royal power from the control of the Old Whig families. The Stamp Act had been approved by the king, was part of his imperial policy, and, therefore, it would in a very real sense weaken his prestige to take a step backwards. The second reason was more fundamental. The members of the court faction had pledged themselves to prove the value of the acquisition of the West and thereby to justify the treaty of peace. This could only be accomplished by spending money in America to maintain the western posts and to subsidize the government of the new provinces. The opinion in political circles was almost universal that America should contribute from its resources to this imperial policy, and the adherents of

421 Albemarle, *Rockingham Memoirs*, vol. i, 285, 290, 310; Fitzmaurice, *Life of Shelburne*, vol. i, 259.

422 In 1779 the king told his ministers that the Rockinghams did not wish "to repeal the act untill Lords Chatham and Cambden made their declarations." – "Knox Manuscripts," in Historical Manuscripts Commission, *Report on the Manuscripts in various Collections*, 260.

423 Lords Northington (Henley) and Egmont, Newcastle, *Narrative* [Camden Society, *Publications*, new ser., vol. lix], 42.

the court like all other expansionists thought that Parliament could never be persuaded to undertake a broad gauged western policy, unless a fund was raised in the colonies.[424] For these reasons and others of less moment most of those who were devoted to the king were generally opposed to the repeal, but favored a modification of the act.[425]

The party of Pitt also suffered in strength from the struggle. Lord Temple who had always remained a faithful colleague of the Great Commoner preferred on this issue to side with his brother, George Grenville. The rest of the faction, however, accepted the American point of view, disbelieved in taxation without representation, and spoke strongly in favor of the relief measure and against the declaratory act. It was Pitt's positiveness on this occasion which persuaded the ministers to take a firm stand. Throughout the fall and winter the latter were hoping and expecting that the popular statesman would place himself at their head, and they

[424] This danger was very real. The Earl of Hardwicke, an Old Whig whose views were similar to those of the court faction, wrote his brother, Charles Yorke, that if the Stamp Act was repealed and the colonies refused to supply money for the troops, it would be best to withdraw them. This would have meant the abandonment of the whole western policy. See Albemarle, *Rockingham Memoirs*, vol. i, 310. After the repeal of the Stamp Act, Lord Barrington drew up a paper on the disposition of troops, in which it was proposed practically to abandon the West. See page 249. In 1767 Mr. Grenville made a motion in Parliament looking to the same end. See Caldwell, *Papers* [Maitland Club *Publications*], part ii, vol. ii, 106.

[425] It is worth noting that Blackstone, a Tory, was in favor of the repeal. Walpole, *Memoirs of George III.*, vol. ii, 198. A friend of Lord Bute wrote on January 25, 1766, as follows: "The violent Pittites are for an immediate repeal of the stamp duty, and declaring an act of Parliament illegal. . . The opposition are for declaring the American rebells, and treating them accordingly. The more moderate part of government wish to preserve the dignity of Parliament, and our internal jurisdiction over the colonies, even to taxation." – Caldwell, *Papers* [Maitland Club *Publications*], part ii, vol. ii, 63. In the above statement the "Opposition" refers to the factions of Grenville and Bedford, and "the more moderate" to the Old Whigs and the court faction.

therefore permitted him to lay down for them their policy. The triumph of the administration really redounded to the credit of Pitt.[426]

The alignment of the factions on the issue was such that a repeal of the act was impossible unless George III. could be persuaded to drive the court followers to the support of the cabinet. The king himself had not been pleased with the Grenville-Bedford ministry's colonial policy or rather failure to take definite action, but he did feel keenly the need of funds for his plan of imperial organization. He preferred, as he himself said, a modification of the Stamp Act, but when the hot heads of the opposing parties pushed the question to an issue between enforcement and repeal, he gave his consent to the latter.[427] Having reached this decision the king was expected by his ministers to compel his followers to cast their votes accordingly. Unfortunately for his reputation for sincerity, George III. was not able to do this, because the court faction lacked that solidarity so characteristic of its rivals. There appeared in this Parliament a small group of men calling themselves "King's Friends" who were always willing to subordinate their own opinions to their master's;[428] but the rest of the faction was more independent. Even Lord Bute, who controlled a large number of votes, as-

[426] Consult particularly Grafton, *Autobiography*, and Newcastle, *Narrative* [Camden Society, *Publications*, new ser., vol. lix]; Fitzmaurice, *Life of Shelburne*, vol. i, 254 ff. In her introduction [page 11] to the Newcastle, *Narratives*, Miss Bateson also gives full credit to Pitt for the repeal of the Stamp Act. The king himself said later that the issue was made by Pitt. See "Knox Manuscripts," in Historical Manuscripts Commission, *Report on Manuscripts in various Collections*, 260. See also Caldwell, *Papers* [Maitland Club *Publications*], part ii, vol. ii, 60.

[427] Albemarle, *Rockingham Memoirs*, vol. i, 301 ff.; Newcastle, *Narrative* [Camden Society, *Publications*, new ser., vol. lix], 49.

[428] John Home to Baron Mure, January 5, 1766, in Caldwell, *Papers* [Maitland Club *Publications*], part ii, vol. ii, 57.

serted that he would maintain for himself "an entire independency to vote and judge as a Peer in Parliament."[429] King George, fearing a possible dismemberment of his faithful band of followers, let it be known that he would not make the issue a test of loyalty to himself, and many of his adherents determined to vote against the measure. On learning this Lord Rockingham insisted that the king make an unequivocal statement that he favored the repeal.[430] The result of these irreconcilable reports about the monarch's opinion was thus described by an observer: "These things are observed; and many, who would wish to know the king's secret wishes, and act accordingly, are quite puzzled what to believe."[431]

With the help of George III. the repeal of the Stamp Act was finally railroaded through Parliament;[432] but the struggle left indelible marks on imperial politics. The opponents of the repeal, the Bedfords, the Grenvilles, and many of the court faction, were convinced that a grave mistake had been made in bending before the storm; and from this time on they were always ready to promote measures tending toward the subor-

[429] Rouet to Baron Mure, February 22, 1766, in Caldwell, *Papers* [Maitland Club *Publications*], part ii, vol. ii, 75. During this winter Lord Bute and his friends acted as an independent faction, much to the surprise of their opponents who had hitherto regarded them as individuals forming part of the court faction. See Newcastle, *Narrative* [Camden Society, *Publications*, new ser., vol. lix], 62.

[430] Albemarle, *Rockingham Memoirs*, vol. i, 300 ff.; Newcastle, *Narrative* [Camden Society, *Publications*, new ser., vol. lix], 49 ff.

[431] Rouet to Baron Mure, February 18, 1766; Caldwell, *Papers* [Maitland Club *Publications*], part ii, vol. ii, 73.

[432] The Duke of Grafton wrote: "I must not conceal from you that the repeal of the Stamp Act went heavily down with those, who passed under the denomination of king's friends; and tho' most of them voted for the repeal, yet it was done with so bad a grace, that they could not help seizing an opportunity by which they might affront an administration growing every day up to popularity, and, at the same time, make their own consequence appear." – Grafton, *Autobiography*, 68.

dination of colonies and to interpret as sinister all events which took place in the oversea dominions. It became almost impossible for a ministry to be formed capable of considering the colonial problems in a dispassionate and purely objective manner, because many factions were pledged by their prejudices to ungenerous treatment of the dependencies and in every faction there were many individuals who shared the same sentiment.

Although the provisions of the Stamp Act did not directly affect the West, the indirect effect of the repeal finally became of stupendous significance; the imperial government had renounced a supply of money which had been set aside for the preservation of peace and for the opening up of new districts in the great valley for settlement. Furthermore the furor which had been aroused in America by the tax proved the impracticability of raising money by similar means for organizing the Indian trade along the lines of Hillsborough's plan. Thus the whole Grenville-Bedford imperial policy had to be completely revised.

Three courses were open to the ministry: they could find other means than a colonial tax by which to raise the fund so much needed for the development and protection of the West; or they might abandon all hope of imperial control of that region and leave its destiny to fate and the rapaciousness of the Americans; or they might attempt to prevent all western complications and thereby to cut down expenses by prohibiting the colonists from crossing the mountains.

The Rockingham ministers were inclined to follow a *laissez-faire* system of political philosophy; and it might, therefore, have been expected that the second course would have been looked upon with favor; and within limits they must have believed that westward ex-

pansion was inevitable. They were persuaded, however, that when it was an accomplished fact, the colonies, just as the ripened pear falls from the tree, would inevitably sever their connection with the mother country.[433] William Burke, who had been chosen as under-secretary by General Conway, had preached this doctrine during the peace negotiations and for that reason had urged the retention of Guadaloupe rather than Canada.[434] Although the ministers held this opinion they realized that it would be unstatesmanlike to act upon it or even to fail to put forth every effort to postpone the inevitable moment of separation. The evidence, at least, seems to prove that the majority were in favor of the adoption of the third course and were willing to make an effort to stay the movement of the settlements westward by the erection of a permanent Indian reservation in the heart of America.[435]

During the period of the Rockingham administration the question of the West came up several times for consideration. A little over a month after the ministers took office, letters from America forced on the attention of the Board of Trade the subject of the settlement of pioneers on the territory around the upper

[433] This belief explains their attitude during the Revolutionary War.

[434] See *Remarks on the Letter address'd to Two Great Men*, 50. Consult also chapter ii.

[435] An opponent suggests that they were very uncertain what to do: "the change of circumstance in the colonies suggests an alteration: but is that alteration to be made? Are we still to protect their extended frontier? Or are the troops to be removed into other parts? Or are they to be entirely withdrawn?" – Whateley, "Considerations on the Trade and Finances of this Kingdom," in *Scarce and Interesting Tracts*, vol. ii, 161. On this subject the opinion of the Old Whigs was divided as on every subject. Secretary Conway was in 1765 opposed to western colonies. See Franklin, *Works* (ed. Bigelow), vol. iv, 417. On March 27, 1766, he declared to Gage that the fur trade was the "principal benefit in view" in the West. On the other hand Lord Dartmouth was definitely in favor of settlements in the West. See Conway to Gage, Library of Congress *Manuscripts*.

waters of the Ohio. The cabinet naturally enough desired to make a record for efficiency. The proclamation of 1763 had closed the land west of the Alleghanies to settlement, and now it was learned that emigrants were flocking into the region. The Old Whigs did not understand that this proclamation was issued as a temporary measure and was to be followed by the gradual opening up of the West; and therefore, instead of changing the pronouncement so as to permit settlement under conditions that had at least been under consideration by their predecessors, the new ministers' sole idea was to enforce the letter of the law. On the twentieth of August the Board of Trade took the subject under consideration and consulted Mr. Thomas Penn.[436] Their final recommendation resulted, on October 3, in instructions to the governors of Virginia and Pennsylvania that such emigration must be "suppressed" and the settlers removed.[437] General Gage was asked to assist and sent a detachment of troops to drive the interlopers from the region, but he found that this could not be accomplished on account of their numbers.[438]

In November the Board of Trade was confronted by the same question in another form. It has already been seen that there were within the Indian country several French settlements which had been left by the proclamation of 1763 without a civil government of any form. Naturally those who were interested in western lands thought that these places were the most likely to be opened up for settlement by the government; their strategic position had been already proved by the French; the population already existing in them must

[436] Board of Trade, *Journals*, under dates.

[437] Public Record Office, *Colonial Office Papers*, 5.1333, p. 49.

[438] *Facts and Observations respecting the Country granted to his Majesty by the Six Nations, etc.*, 5.

be provided with some form of government. It was further argued that the immigration of whites into these villages would not arouse the hostility of the Indians who had been accusomed to the presence of Europeans there for years.

Detroit was most advantageously situated of all the French posts to secure the control of the fur trade, since it commanded the Great Lakes and one of the most frequented routes to the Mississippi waters. The land around the village was fertile and, as time has proved, capable of supporting a large population. At this time the French population numbered about six hundred all told; their chief occupation was hunting and the fur trade. These owed the king of England, as successor to the French monarch, quitrents and fines of alienation.[439] In the village was stationed a British garrison with a commandant, who exercised some sort of civil administration without formal warrant of law.

General Amherst had in 1762 selected this place as the seat of a future colony and had recommended it to the ministry.[440] He was probably, therefore, the one who first conceived the project, and the later proposal by British officers was no doubt an outgrowth of his idea.[441] On May 8, 1765, Major Thomas Mant[442] with

[439] For land in the village the quitrent was two *sols* per foot frontage and for agricultural land one *sol* quitrent and forty *sols* rent with one quarter of wheat per *arpent* frontage. The alienation fine was one-twelfth of amount paid, from which the king generally remitted a third. See "State of the King's Rights, etc.," in *Lansdowne Manuscripts*, vol. lvii.

[440] Amherst to Egremont, November 30, 1762, in *Lansdowne Manuscripts*, vol. xlviii, 417.

[441] He was called in to advise the Board of Trade on the later proposal. See Board of Trade, *Journal*, November 14, 1765.

[442] Thomas Mant described himself as having served as an assistant-engineer at the siege of Havana in 1762 and as major of brigade to Colonel Dudley Bradstreet in 1764; but his name does not appear in any British "Army List." He was a writer on military subjects. His best known work was the *History of the Late War in America including the Campaigns against*

fifty-nine other officers, who had served under Colonel Bradstreet in the Indian War, petitioned the king that they be permitted to transport to Detroit six hundred twenty-four families, each to receive one hundred fifty acres of land. It was further petitioned that the promoters receive as compensation for this service land in proportion to the number of families enlisted by each.[443] This petition was referred by an order in council to the Board of Trade, who did not take it under advisement until after the Rockingham ministry was established. During November the Board reported that the promotion of such a western settlement would be premature until a decision had been reached upon a general plan for the West which was then being formulated. Furthermore the Lords of Trade did not think that they had power to grant lands in that region, since it was contrary to the terms of the proclamation of 1763. There appears to have arisen during the discussion of this petition strenuous opposition to the promotion of any settlements. Arguments that are already familiar were again brought forward; the proposed colony was too far inland to have easy access, no staple commodity could be produced there, the colonists would be obliged to set up manufactures for themselves, and would finally throw off their dependence.[444]

The foregoing decisions indicate that the ministers had not yet developed a western policy, but that they had in mind a plan for the West, with which the granting of the petition for lands around Detroit might prove

his Majesty's Indian Enemies (London, 1772). See *Dictionary of National Biography*, art. "Thomas Mant."

[443] Public Record Office, *Colonial Office Papers*, 323.18, pp. 393-404; Privy Council (Colonial) *Acts*, vol. iv, 567.

[444] *Dartmouth Manuscripts*, undated document.

to be incompatible. What was this general plan? Did the Old Whigs work out a western policy similar in scope and character to that advocated by the Grenville-Bedford ministry? Unfortunately these questions can not be answered categorically. The Marquis of Rockingham and his colleagues were not granted the opportunity to place themselves on record concerning the disposition of the West; and, so divided was the leadership in the faction, it is possible that no definitive answer could have been given by them to the question of the above mentioned petitioner, Thomas Mant:

> Why have we been at so much expence to conquer this country, if we do not pursue the means to make it beneficial? Without the acquisition of subjects with territory, and the encouragement of trade to a commercial nation, territory can be of no benefit.[445]

Although there is no authoritative statement by the Old Whigs on the subject of a western policy, a plan for the transmontane region was actually drawn up by a member of their ministry and undoubtedly became a subject of discussion. This was the work of the secretary at war, Lord Barrington, who during a long and unmerited political career became occasionally an influence in the councils of various administrations. His formulation of a plan for the disposition of the military forces in America, at this time, was to become the platform of many politicians and even of some factions, since he was able to find words to express the nebulous ideas on economy, on coercion of dependencies, and on western expansion that were current in those political circles which were hostile to the colonies. No one would assert that he was in 1765 a member of the inner circle of the Old Whigs or that he had the right to speak for them. Still the slightest knowledge of his

[445] Mant to Dartmouth, April 30, 1766, in *Dartmouth Manuscripts.*

career shows that his ideas were not altogether foreign to theirs.

Before the withdrawal of the Duke of Newcastle from the ministry in 1762, Lord Barrington had been a faithful follower of that nobleman, and he continued to be on terms of personal and social intimacy with him after that event;[446] but Barrington, like the notorious Vicar of Bray, was never a candidate for martyrdom and preferred holding office to following his leader into the opposition. Henry Fox's contemptuous description of him as "a frivolous little minded man" is supported by his own confession: "My invariable rule therefore is, to ask nothing, to refuse nothing, to let others place me, and to do my best wherever I am placed."[447] By such complacency he managed to hold office in many ministries, irrespective of their complexion. From July, 1765, till December, 1778, he held the office of secretary at war by the favor of his royal master, though it was said of him that he was "hated by army" and proved himself to be "ignorant of military affairs."[448] There is one point in his favor; he was not conceited and could see the humorous side of his own success as a placeman. Several years before this period he announced to a friend: "The same strange fortune . . . has made me chancellor of the exchequer. It may perhaps at last make me pope. I

[446] This is evident from his letters printed in Ellis, *Original Letters*, second ser., vol. iv, 430, 457. See also Barrington, *Life of Lord Barrington*, sec. iv. In 1755 the Duke of Newcastle called Barrington "the most declared friend of mine." See Riker, *Henry Fox, First Lord Holland*, vol. i, 339.

[447] Ellis, *Original Letters*, second ser., vol. iv, 433. Henry Fox described him as "a frivolous, little minded man, is not honester or abler than his predecessor [Legge], but is devoted to the D. of Newcastle, and has no other patron to look up to; he will therefore do very well in this . . . insignificant employment. . . He has no regard to truth." – Ilchester and Stavordale, *Life and Letters of Lady Sarah Lennox*, vol. i, 40.

[448] Almon, *Anecdotes of Pitt*, vol. iii, 253.

think I am equally fit to be at the head of the church, as of the exchequer."[449] In spite of his earlier loyalty to the Duke of Newcastle he can not be counted as an out and out Old Whig but rather one of those members of the court faction with Old Whig antecedents and principles, which could be discarded at the king's desire; and it was at his royal master's expressed wish that he was given and accepted his position in the Rockingham ministry.[450] Too much stress should not be placed on this last fact, however, for his training had been in the school of Newcastle and the principles he avowed were not dissimilar to those of his teacher; and, as will be seen, the policy he advocated was not that promoted by the court faction with which he had recently affiliated himself. For these reasons it seems possible that his western policy was inspired by his long association with the Old Whigs and by his present cooperation with them.

The opposition of the Rockinghams to their predecessors would have made them dubious about promoting a policy which had the Grenville-Bedford hall-mark, particularly when such a course would entail an increased expense. Their policy must now be one of retrenchment in colonial expenses, and this fell in with their general attitude of indifference to measures looking towards the settlement of the West. It must be remembered also that their opposition to the treaty of peace had been based on a low estimation of the value of the new acquisition; and they could not afford to disprove their former opinion. Since Hillsborough's plan for the management of the Indians had not been adopted, there was no need of an immediate decision

[449] Ellis, *Original Letters*, second ser., vol. iv, 433.

[450] Barrington, *Life of Lord Barrington*, 96 ff.

concerning the trade. The whole military arrangement, which was so closely united with the imperial plan, was, however, in existence and was costing the empire large sums of money. It was, therefore, in this direction that retrenchment seemed most urgent and feasible, and the problem naturally fell to the office of secretary at war. On May 10, 1766, the report of Lord Barrington was ready,[451] but the cabinet never acted upon it so far as is known; and their own position was so precarious at the time that it would have been foolhardy for them to have made such drastic changes in the western policy as were recommended.[452]

The fundamental conceptions of the report were that there was plenty of unoccupied land east of the mountains for all possible immigration for ages, so that, even should the West be opened up, there would not be sufficient people to colonize it; that the cost of land carriage was so great and the passages so difficult that communication with the mother country could not be continued; that it was intended by the proclamation of 1763 to maintain this whole territory as an Indian reservation, dedicated to the fur trade.[453] Having stated these principles which Lord Barrington regarded as axioms, he turned to the discussion of the costly disposi-

[451] Lord Barrington's plan is printed in Alvord and Carter, *The new Régime* [Illinois *Historical Collections*, vol. xi], 234. Careful search has been made for evidence that the cabinet ever considered the plan but none has been found.

[452] A few days before the date of the report, the Duke of Grafton, secretary of state for the Northern Department wrote: "The weakness of the cabinet as now composed, the great bodies of men not included, many of ability, with a large share of those of property (even supposing Mr. Pitt and his friends neuter) present immediately such a determin'd opposition, that no point essentially right for this country can be carried through with certainty by administration." – Grafton to Conway, April 22, 1766, in Grafton, *Autobiography*, 72.

[453] It has been seen that the decisions of the Rockingham ministry pointed to a similar conception of the proclamation.

tion of the troops in scattered garrisons, and showed how such expenses were not justified. The frontier garrisons were no longer needed as posts for communication, since the French had been driven across the Mississippi. The Indians' methods of warfare were so different from those of Europeans that forts could not keep them in subjection and were, as a matter of fact, causes of irritation, because they had not been destroyed according to promise. A third argument which had been advanced for the maintenance of interior forts, namely that they contributed to the British trade and prevented that of the French, did not seem to Lord Barrington to be well founded. He pointed out that the British enjoyed practically the whole Indian trade except that on the Mississippi which was not of much account and, therefore, might as well be abandoned to the French. For the traders to go among the Indians was unnecessary; it would be far better to compel the Indians by their wants to come to the settlements, where the trade could be conducted under the inspection of proper imperial officials. Barrington asserted further that even if the maintenance of garrisons in the West served the interests of trade, the expense should not fall on the mother country but on the colonies; and that if any colony should get into war with the Indians, it should be compelled to assume the responsibility, and if necessary, to request and to pay for military assistance from Great Britain.

The secretary at war was not in favor of the abandonment of all forts, but proposed that thirty men be maintained at Oswego, forty at Niagara, seventy at Detroit, and forty at Michillimackinac, a garrison consisting of less than a regiment at Pensacola, and a small garrison at Fort de Chartres in the Illinois country. The great

body of troops in America should be concentrated in Canada, Nova Scotia, and East Florida, where the expense of supporting them would be much less than at present and where they could be easily moved against foreign foes or the colonies, should they be required.

Thus there was placed over against the western policy embodied in the proclamation of 1763 and the Grenville-Bedford plan for the management of Indian affairs, another and radically different policy which contemplated the maintenance "for ages" of an extensive Indian reservation in the heart of North America and the stoppage of all future settlement at the Appalachian range of mountains.

The hour of the Rockingham ministry was drawing to its close. This administration had never been strong, and in May it was weakened by the resignation of the Duke of Grafton who had remained in office only because he expected that Pitt would be called to the head of the government. He was now firmly persuaded that this change would never take place and that Lord Rockingham had abandoned all idea of asking the coöperation of the Great Commoner. Under this condition the Duke of Grafton felt that his honor required his resignation from the office of secretary of state for the Northern Department.[454]

General Conway was transferred to the vacated office; and the Duke of Richmond, a young man without experience, was appointed to the Southern Department. At about the same time a reorganization of the American Department was projected. It was another effort to do away with the division of the administration between two offices, the southern secretaryship and the

[454] Grafton, *Autobiography*, 63 ff.; Newcastle's *Narrative* [Camden Society, *Publications*, new ser., vol. lix], 57 ff.

Board of Trade. As has been seen, the functions and powers of the two offices had been regulated at each ministerial change according to circumstances. Usually, but not always, the Board of Trade was subordinated to the secretaryship. The Old Whigs, particularly the Duke of Newcastle, had been in favor of making the president of the Board a third secretary; and now some of the Rockinghams undertook to accomplish this reform; but, on account of opposition, possibly from the king, the attempt was not successful, the only change being that the president, Lord Dartmouth, was granted those powers formerly exercised by Lord Halifax.[455] Since the information on this proposed reorganization of the American Department is meager, it is impossible to determine whether the project was leveled at the inactivity of General Conway or at the plan of Lord Barrington, or whether it was preliminary to a careful consideration of the whole colonial policy by Lord Dartmouth who was known to favor western expansion.

On July 30, 1766, the Rockingham ministry was dismissed by his majesty. The king had always stood in fear of their traditional politics; and, when they refused to "broaden the bottom" of the administration by the admission of members of the court faction to office after the resignation of the Duke of Grafton,[456] he de-

[455] Chesterfield to Dartmouth, May 14, 1766; Dartmouth to Chesterfield, May 25; Rockingham to Dartmouth, July 25, all in *Dartmouth Manuscripts*. See Newcastle, *Narrative* [Camden Society, *Publications*, new ser., vol. lix], 69, 96; and Historical Manuscripts Commission, *Reports*, vol. xv, appendix, part i, 111, 179, 182. When Dartmouth first took office, Lord Hillsborough urged him to demand that his position should be created similar to that of first lord of treasury or he would suffer continued disappointment and probably disgrace. See *idem*, 179. A correspondent of Lord Stirling thought that full arrangements for the creation of the secretaryship for the colonies had been made at the close of the Rockingham ministry, but he was probably misinformed. See Duer, *Life of Lord Stirling*, 84.

[456] They were also very hostile to two of the "King's Friends," the Earl

termined to get rid of them. The particular issue that was used as an excuse for this dismissal was closely related to that of the western colonial policy.

A condition more perplexing than the Stamp Act had been inherited by the ministry from their predecessors in office. The introduction of British law into the newly created province of Quebec, which it has been pointed out was the most serious blunder in the proclamation of 1763, had thrown the political, legal and social life of that community into confusion.[457] Governor Murray, acting on his instructions and advised by his council, organized the machinery for the administration of the law in accordance with British precedents. By the supposition that the legal disabilities of Roman Catholics in England extended to the colonies, the French were practically shut out from participation in the government. The few hundred English speaking subjects appreciated the material advantages in this situation and systematically used the law courts to assist them in the process of exploiting Canada. Particularly was the English law of debt by which the poor debtor could be thrown into prison – a law much more tyrannical than that of the French – abused by the unscrupulous among the English; and since Roman Catholic lawyers were not permitted to practice in the law courts, the French had practically no protection. Governor Murray, who did his best to guard those under his charge from persecution, has pictured the imbecilities and tyrannies of the first few years of British administration in the following words:

of Eglington and Jeremiah Dyson. See Newcastle, *Narrative* [Camden Society, *Publications*, new ser., vol. lix], 72.

[457] Although the king's right to change the laws in this manner was disputed by contemporaries and later writers the famous decision of Lord Mansfield in Campbell *v.* Hall in 1774 [printed in Shortt and Doughty, *Constitutional Documents*, 366] upholds such a right as exercised in the proclamation.

> The improper choice and the number of the civil officers sent over from England increased the disquietude of the colony. Instead of men of genius and untainted morals, the reverse were appointed to the most important offices, under whom it was impossible to communicate those impressions of the dignity of government by which alone mankind can be held together in society. The judge pitched upon to conciliate the minds of seventy-five thousand foreigners to the laws and government of Great Britain, was taken from a gaol, entirely ignorant of civil law and the language of the people. The attorney general, with regard to the language, was no better qualified. The offices of the secretary of the province, register, clerk of the council, commissary of stores and provisions, provost marshal, etc., were given by patent to men of interest in England, who let them out to the best bidders, and so little considered the capacity of their representatives that not one of them understood the language of the natives. . . The heavy tasks, and the rapacity of the English lawyers, was severely felt by the poor Canadians.[458]

To the chaos of the civil administration there was added the unsettled condition of the ecclesiastical establishment. No authoritative assertion concerning the status of the Roman Catholic Church and its various institutions had as yet been announced. A clause in the treaty of peace, drawn in very ambiguous terms, declared that the Canadians might practice their religion "as far as the laws of Great Britain permit."[459] This statement of toleration was by no means so generous as the Canadians had a right to expect from the terms of the capitulation of Montreal in 1760;[460] and their public and private interests forced them to keep up an agitation for a less restricted exercise of their wor-

[458] Murray to Shelburne, August 20, 1766, printed in Kingsford, *History of Canada*, vol. v, 188. The best source of information concerning the evils following upon the proclamation is Shortt and Doughty, *Constitutional Documents, passim.*

[459] Treaty, art. iv, in *idem*, 86.

[460] Articles xxvii-xxxv, in *idem*, 25.

ship and a greater assurance of their rights in their church property until a more tolerant policy should be inaugurated.

Only a beginning in granting relief to the French-Canadians was made by the Grenville-Bedford administration.[461] The vital question whether the new subjects were liable to the same disabilities and penalties as the Roman Catholics in England was submitted to the attorney-general and solicitor-general, who reported that in their opinion such was not the case.[462] Although there seems to have been little dissent from this opinion, the dismissal of the ministry the next month delayed all action on the subject for over a year.[463] The religious problem was a difficult and even more perplexing one and every administration hesitated to take definitive action in regard to it, fearing that an attempt to carry out a system of real toleration would be an occasion of harsh criticism from the opposition and the ardent Protestants. The Grenville-Bedford ministry, however, began an investigation of the subject by asking the opinion of the Archbishop of York, who on April 11, 1764, returned a long paper entitled: "Thoughts upon the Ecclesiastical Establishment in

[461] The principal complaint of the Canadians was read January 7, 1765. See Shortt and Doughty, *op cit.*, 156 ff. On page 163, *footnote* 1 of the same, the editors have printed "instructions to Murray" in which the governor is informed that the proclamation of 1763 "Shall not operate to take away from the native inhabitants the benefit of their own laws and customs in cases where titles to land, and the modes of descent, alienation and settlement are in question, nor to preclude them from that share in the administration of judicature." The editors think these instructions were sent to Governor Murray in 1764, but they were not drawn up until 1766 and were never sent, as the narrative of events will show.

[462] — *Idem*, 171. This report was made in June, 1765.

[463] Instructions drawn in accordance with this opinion were signed on February 17, 1766, and an ordinance permitting Roman Catholics to sit on juries and act as attorneys, etc., was passed in Quebec on July 1, in the said year. See *idem*, 173, *footnote* 1.

Canada." This the Board of Trade utilized to formulate a plan, formally dated May 30, 1765.[464]

The plan was based on the belief that in the course of years the religion of the French Canadians could be changed, but that for the immediate future a mild policy should be followed in order that all-healing time might work its perfect cure. Meantime there was need of someone to ordain priests and to act as a guide for the parishes and as a center for the ecclesiastical administration. For these purposes a "superior" was to be appointed by the king and supported out of the sequestered revenues of the seminaries of Quebec and Montreal, but carefully prohibited from assuming the pomp and insignia of the episcopal office. The parish priests were to receive the customary tithes, from which Protestants were to be exempted; and it was hoped that this exemption might be a potent evangelist for Protestantism. All the orders of monks and nuns should be abolished, the Jesuits at once, the others gradually, and the sequestered revenues were to be placed in the hands of the Society for the Propagation of the Gospel in Foreign Parts, to whom also should be assigned all the Indian missions. Protestant parishes and schools were to be established and the church buildings should be open for the services of both denominations.

Since time was not granted for the Grenville-Bedford ministry to inaugurate their benevolent policy of toleration with its dash of conversion, they left it as a legacy to their former opponents to reject or to accept, as their wisdom might dictate. The experience of the new ministers could not suggest a wiser plan.[465] Their known

[464] Both papers may be found in *Lansdowne Manuscripts*, vol. lix. The plan was somewhat modified in 1767, and the two forms should not be mixed.

[465] In a report on September 2, 1765, the Board of Trade refers to the Grenville-Bedford plan for the organization of ecclesiastical affairs in such a

weakness in Parliament and the closet made them fear to bring the question to an issue where their support of toleration for Roman Catholics might alienate many of their followers. The traditional platform of the Old Whigs could not thus be repudiated without danger. Yet the administration's sense of justice in regard to the Canadians was really touched. Edmund Burke, in particular, pleaded with the Marquis of Rockingham in behalf of the newly acquired subjects, and his advocacy of their cause was successful. The ministers determined to inaugurate in a partial manner the recommendations of their predecessors, but in order that no capital might be made out of it by the opposition, they decided to maintain the most profound secrecy. The Reverend Olivier Briand was permitted to pass from Quebec to France where at Amiens he was consecrated bishop of Quebec, and in the spring of 1766 he returned to Canada as "Superintendent of the Clergy" with a salary of two hundred pounds a year.[466] The first step, although a timid one, towards religious toleration in Canada had been taken; and not the least significant fact about it was that it was taken by an Old Whig ministry. This beginning foreshadowed the bolder act of 1774.

The civil condition of the new province was also seriously considered by the Rockinghams and the whole subject was referred to the Board of Trade, which on September 2, 1765, made two reports. One of these was limited to the civil affairs of the colony.[467] Its con-

way as to adopt it as their own. See Shortt and Doughty, *Constitutional Documents*, 171.

[466] This was all done very secretly and only by the connivance of the ministers. As far as is known there was not issued a patent or warrant for the exercise of his functions. The whole account of this appointment is based primarily on Maseres, *Occasional Essays*, 364 ff.

[467] Printed in Shortt and Doughty, *Constitutional Documents*, 171.

tents show that the Lords of Trade had been impressed by the complaints of the English speaking citizens of Canada against Governor Murray and were ready to further their interests even at the possible expense of the French-Canadians. They recommended that the governor be recalled to England to render an account of the colony and that a lieutenant-governor be appointed to fill his place, temporarily at least. Their second suggestion is an excellent example of the Old Whig adherence to the traditional forms. All the older colonies had assemblies, therefore Quebec should have one. The Board accordingly recommended the division of the colony into three districts, wherein they "apprehend there would be found a sufficient number of persons in each county qualified to serve as representatives [i.e. Protestants], and in the choice of whom all the inhabitants of each county might join." According to this opinion Roman Catholics might act as electors under the laws.

The second report was much longer.[467a] It was a consideration of the ordinances establishing the judicial system, that had been passed, in 1764, by the governor and council of the colony. To enter into the minutiæ of this discussion seems unnecessary, but certain broad principles of the report are of interest. The Board regarded the exclusion of Roman Catholics from participating as jurors and attorneys in the courts as very unjust and unreasonable, and they thought that all law suits involving property acquired prior to the conquest should be decided by the French usages and laws. On account of the above reasons and because the language of the ordinance establishing the courts was so very loose and indefinite the Lords of Trade advised that it be

[467a] Canadian Archives, vol. Q 18A, p. 131.

disallowed and that another ordinance be issued, following an outline which they themselves suggested.

These two recommendations were not drastic and were, with some important exceptions, acceptable to the ministry. Since action was impossible without enlightenment from the law officers, the whole subject was referred to them for an opinion. One step could, however, be easily taken. In February of the next year the Privy Council instructed Governor Murray to pass an ordinance admitting the Roman Catholics to full and equal participation in the law courts, and this was done in July.[468]

This act and that of permitting Bishop Briand to go to Quebec as "superintendent" were the only Canadian policies actually inaugurated by the Rockingham ministry. This was in no way the fault of the leaders. In fact it was their decision concerning the remainder of the Canadian problem that was the occasion of their final dismissal. Since their policy in regard to Quebec became such a distinct political issue and since they were the most bitter opponents of a bold measure on the same subject, passed through Parliament by a subsequent ministry, their ideas of a government for this difficult colony are of profound interest.

A preliminary measure of importance taken by the ministry was the recall, on April 1, of Governor Murray, who had been notified to prepare for such action in the preceding autumn, and the appointment of Colonel Guy Carleton as lieutenant-governor. A few weeks previously excellent men had been selected for the positions of chief justice and attorney-general in the persons of William Hey and Francis Maseres. The selection

[468] Shortt and Doughty, *Constitutional Documents*, 172, 173, *footnote* 1. The history of the Privy Council's action on these various measures may be followed in Privy Council (Colonial) *Acts*, vol. iv, 696, 698.

of these officers was above criticism, and all three from this time on gave their attention to the needs of the colony and were taken by successive ministers as advisers in all matters pertaining to Quebec. In particular the new governor exercised a decisive influence upon the policy finally adopted in 1774.

The newly appointed officers made a careful study of the condition of the colony; and one of them, at least, Maseres, a man of very positive convictions and ever hopeful of finding a panacea to cure the evils of society, drew up after some consultation with his colleagues, a bill for establishing the government of Quebec. For this he wrote an introduction, and the whole was privately printed for distribution to members of the administration.[469] His main purpose was to metamorphose the French civilization of Canada in its social, economic, and religious aspects into the English as rapidly as was consistent with justice and kindness. This, he knew, could not be accomplished at once, so that meanwhile some form of toleration to Roman Catholicism must be permitted; but he had a firm conviction that toleration should not be introduced in a secret and almost underhanded way, such as was the connivance at the appointment of a religious superintendent of Quebec. Maseres realized that reforms in the government must also be made. First of all he wished to correct the wrong committed by the introduction of English law into the colony and advocated the revival of parts of the French code. He pointed out that the colonists were not ready for a legislative as-

[469] Maseres, *Considerations on the Expediency of Procuring an Act of Parliament for the Settlement of the Province of Quebec* (London, printed in April, 1766). This was later printed (1809) by Maseres in his *Occasional Essays* with some account of its fate. In his later explanation Maseres is careful to state that neither Carleton nor Hey had carefully read the bill, although they accepted it as likely to focus the discussion of the ministers.

sembly and that the governor and council must, therefore, be empowered to make laws and to raise money by taxation. In his opinion the king did not possess the power to legalize such radical changes, both religious and civil, and for that reason he urged the administration to bring the whole subject of the Canadian government and religion before Parliament in order that the necessary reforms might be legally enacted.

In Maseres's bill the plan of Attorney-general Yorke and Solicitor-general Grey in regard to the law was adopted. These two officials had taken under their consideration the report on the law courts made by the Board of Trade on September 2, 1765; and on April 14, 1766, returned to the Privy Council the results of their labors. They were decidedly of the opinion that in many cases general maxims common to English and French law could be used, that in particular cases relating to titles of land, descent, alienation, etc., the French law should be the rule, and that for criminal cases the English law should be introduced.[470] The result of such a plan would have been a somewhat composite civil law that could have been developed only in a long period of time.

The issue that had been made by this report and the pamphlet by Maseres turned upon the question of the best method of introducing the contemplated reforms. Maseres had declared himself emphatically for an act of Parliament and his colleagues in the Quebec government seem to have agreed with him in this. The majority of the ministry, however, did not dare bring the question to so direct an issue. Led by Charles Yorke, the attorney-general, they decided to take upon

[470] Shortt and Doughty, *Constitutional Documents*, 174. It is interesting to note that the report undertakes to interpret the proclamation of 1763 as meaning substantially what the authors recommended.

themselves the responsibility and by instructions to Governor Carleton to bring about such changes as were advisable.[471] They gave up the idea of calling an assembly as impracticable under the circumstances and determined to allow the governor and council, as constituted in 1763, to remain the only legislative body.[472] They adopted the recommendations of the Board of Trade concerning changes in the law courts and that of the attorney-general and solicitor-general in regard to the law, and ordered the former to draw up instructions to the governor embodying these ideas.

The report on the instructions was made by the Board of Trade on June 24.[473] Among the first provisions was the following: "It is Our Royal Will and Pleasure, that all and every the ordinances enacted and published by you for the establishment of judicature, courts, offices and officers, be and they are hereby abrogated and repealed." The governor was then instructed to have courts established on the plan and principle that were laid down in the instructions. On the juries in criminal cases both the old and the new subjects were

[471] Maseres, *Occasional Essays*, 364 ff.

[472] This is proved by their agreement in June, on the new instructions to be sent the governor. Among the *Dartmouth Manuscripts* of this year is the draft of a bill entitled: "An Act for granting for a limited time therein mentioned powers of legislation to the governor and council of His Majesty's province of Quebec for the time being." The copy in my possession was made from *Dartmouth Manuscripts*, 1757-1772, vol. i, in the Canadian Archives. It is without date. As is indicated it confers on the governor and council the power to make laws. This power was to be conferred only for the period of fourteen years. Thirteen members of the council would make a quorum for this purpose. There can be little doubt that this bill was drawn up at this time for discussion.

[473] This has never been printed. It is found in Public Record Office, *Colonial Office Papers*, 43.1, p. 311. Other copies with emendations and notes, probably by Charles Yorke, are in British Museum, *Additional Manuscripts*, 35914, p. 158, and *idem*, 35914, p. 191. (These are in the *Hardwicke Manuscripts* and have many emendations). See *idem*, 32982, p. 6, and *idem*, 33030, p. 272. These last are among the Newcastle *Manuscripts*.

to sit.[474] The French Catholics were to be "admitted indiscriminately with the rest of our subjects, not only into the commissions of the peace, but also to the execution of all such offices, functions and duties, (those of judges in the superior and circuit courts only excepted), as are incident to the several courts and constitutions." A statement of the law to be followed in these courts, in general accord with the law officers' recommendations was also included.

The Rockingham ministry was thus committed to a Canadian policy which would leave the executive and legislature as they had been constituted in 1763, would establish a new civil code based upon general maxims and the French and English law, would leave the English criminal law in force, and would permit a partial toleration of Roman Catholicism. The majority of the cabinet were preparing to establish these reforms by royal *fiat* rather than by act of Parliament but in this they were stopped by the minority consisting of one influential officer, Lord Chancellor Northington [Henley].

Northington was an ill-balanced man, whose strong mind had been weakened by constant use of intoxicants, under the influence of which he usually was. His habits made him very irregular in the discharge of such humdrum duties as reading dispatches and sitting in cabinet meetings. As a result, when he did attend the meeting to pass upon the new instructions to be sent Colonel Carleton, he had not for months paid the least attention to the Canadian situation and was entirely ignorant of the intentions of his colleagues. He was never slow in making up his mind, however, and after

[474] In case the trial concerned individuals of only one race, the jury was to be drawn from that race.

listening impatiently to the reading of the instructions immediately gave vent to his scorn of the whole project. He doubted whether the crown could empower Roman Catholics to act as justices of the peace and judges, since in his opinion the penal laws extended to Canada; he was sure that the French law must remain in force until it was altered by act of Parliament; in fact the whole principle upon which the instructions were based was untenable. When Lord Dartmouth mildly protested that Lord Northington himself had, in 1763, signed very similar instructions to Governor Murray, his retort was that he could not undertake to be responsible for every paper he signed, that he did not even read them, and that he had always disapproved of the government of Quebec. When someone argued that the laws had actually been changed by the proclamation of 1763, the lord chancellor, who must himself have had some hand in adopting that important document, was not silenced but exclaimed: "I know that, and a very silly proclamation it was."[475]

The meeting broke up without reaching a decision, but the ministers continued to confer on the question for several days without the presence of the lord chancellor. The latter, however, was busy with another plan. He had been waiting for an opportunity to overthrow his colleagues and seized upon this disagreement as the occasion. He told the king that the Rockingham administration could not go on in its weakened condition, and urged him to send for Pitt. This was done.[476] In July, 1766, after about one year of service,

[475] Lord Hardwicke's "Memorial," and the Duke of Richmond's "Journal," in Albemarle, *Rockingham Memoirs*, vol. i, 349-355; Newcastle, *Narrative* [Camden Society, *Publications*, new ser., vol. lix], 76.

[476] Walpole, *Memoirs of George III.*, vol. ii, 237. There are many accounts of the dismissal of the Rockinghams to be found in the volumes to

Lord Rockingham and his associates were dismissed, and William Pitt was called to be prime minister.

Thus ended the ministry of the Old Whigs. The oft quoted encomium by their talented writer, Edmund Burke, was in many ways justified; they were honorable young men with good intentions. Many of their acts were worthy of praise, but this praise must be tempered somewhat with the realization that some of their acts like their virtues were of the negative kind. They had undone the mistakes of their predecessors, but of broad affirmative statesmanship they showed hardly a sign. Their western policy, so far as it is revealed, was reactionary, their toleration of Roman Catholicism in Canada was secretive, and their proposed civil reforms for that colony they feared to bring into the light of discussion in Parliament. Their work was, however, unfinished and this may be offered as their excuse. No time was granted even to round out their half-formulated plans. Like their predecessors they had labored on that comprehensive colonial policy, so much needed by the empire, and like them they were compelled to pass the unsolved problem on to other men who believed in very different principles.

which reference has been so often made. A narrative not so well known is that of Mr. Mackenzie's Caldwell, *Papers* [Maitland Club *Publications*], part ii, vol. ii, 90. Coming, as it does, from the brother of Lord Bute, it is a source of great weight. The reason for Lord Northington's anger at his colleagues is stated to have been caused by alterations in the Quebec instructions, which he had made, but which were changed without his knowledge.

X. THE CHATHAM MINISTRY

Is not this magnificent? A senate regulating the eastern and western worlds at once! The Romans were triflers to us; and yet our factions and theirs are as like as two peas." – HORACE WALPOLE.

The tracing of the course of Pitt's politics from his entrance into public life till the time of his last ministry offers one of the most difficult and fascinating problems in the history of eighteenth-century England. This pompous, theatrical, and capable egoist, who had the assurance to believe that he alone could steer the ship of state and save it from the threatening storms of internal factions and external enemies, could never be enlisted in the service of the vested interests which had so long commanded the British empire. His attitude towards his associates was arrogant, his manner was conceited. No system of politics would satisfy him unless he was the base, support, and roof, so that the crowd of petty contemporary politicians surrounding him were never able to secure his assistance in building their Lilliputian structures. It was Pitt's egoism which made him so uncongenial a colleague and it is this same characteristic that explains his political tergiversations during the early years of the reign of George III. No combination was proposed within which he was offered freedom to put in execution his noble but frequently fantastic ideas.

Pitt had been raised to the climax of his power during the Seven Years' War by an alliance between his own followers, the Leicester House faction, and the

great Whig families that followed the Duke of Newcastle. When these same politicians refused in 1761 to follow longer his lead in the management of the war, he resigned, and was thrown into opposition where he was soon joined by his former colleagues, the Old Whigs. In 1763 he was expecting to rise to another triumph with these associates, so that in his August conference with the king he talked rather arrogantly of the revolutionary families. In 1765 he was talking more faintly of these great nobles and finally refused to enter into alliance with them. By 1766 his conception of his political duties had been completely metamorphosed and the youthful enthusiasm with which he had perused the writings of Bolingbroke returned in full flood. He was again dreaming of a united country under a "patriot king," when "there should neither be any exclusion of any man of ability and integrity, nor any listing under any banner whatsoever."[477] Combinations of factions formed solely to control patronage and to secure votes in Parliament should be debarred from politics in the future. By a process of rejuvenescence Pitt had reached back to a political attitude of mind which was in full harmony with that of the king and his favorite. In certain phases of his imperial plans he found himself also in more complete accord with the desires of the court faction than with any other group of politicians. The Bedfordites, the Old Whigs, and the broken circle of the followers of the late Duke of Cumberland were all frightened at the thought of change and were not ready to pledge themselves to pro-

[477] Grafton, *Autobiography*, 89. The king in a letter to Pitt, July 29, writes: "As I know the Earl of Chatham will zealously give his aid towards destroying all party distinctions, and restoring that subordination to government, which can alone preserve that inestimable blessing, liberty, from degenerating into licentiousness."—Pitt, *Correspondence*, vol. iii, 21.

mote an active program in either America or East India, whereas both the Pittites and the court faction had visions of an empire extending its power to all parts of the globe and bringing peace and good rule to mankind.

United by the same extravagant idealism in home and imperial affairs, there was no reason why the two parties should remain in hostile camps. During the spring of 1765 Pitt gave unmistakable indications in his speeches that a rapprochement might soon be expected; on March 11, he spoke in eulogy of the Earl of Bute; and later he asserted that the best possible administration could be formed only by uniting those who were beloved by the people with those who had the confidence of the court.[478] The event which these utterances foreshadowed occurred on July 30, when a ministry representing the ideal of the period replaced that of the Old Whigs. The nucleus of the new administration was composed of the Pittites, namely Pitt (or Lord Chatham as he must now be called), the Duke of Grafton, the Earl of Shelburne, Lord Granby, Lord Camden, and General Conway, the last named having finally decided to forswear his older allegiance.[479] As has been seen this was numerically the weakest of the factions and required the support of two other groups to carry measures safely through Parliament.[480] This

[478] Report of Prussian minister, Bouderin, in *Prussian archives*, quoted in Von Ruville, *William Pitt und Graf Bute*, 105, *footnote* 27; but the whole argument of Von Ruville should be read; also Von Ruville, *William Pitt*, vol. iii, 176.

[479] There are some references to Lord Chancellor Northington as a member of the Pitt faction, but his whole career places him more properly in the court faction. Grafton, *Autobiography*, 135. General Conway had always acted up to this time with the Old Whigs, but by his acts in the Chatham ministry he severed his connection with them. Like the Duke of Grafton and Lord Camden he still later left even the Pittites and partially at least became a member of the court faction.

[480] Albemarle, *Rockingham Memoirs*, vol. ii, 34.

condition made it impossible for the newly created Earl of Chatham in composing his ministry to maintain his lofty disdain of political affiliations. Despite his belief that "faction will not shake the closet nor gain the publick," the demands of practical politics laid upon him the necessity of seeking alliances.[481] The king's command could be counted upon to deliver the votes of his followers, and the support of the Old Whigs was bought by the appointment of some of them to office.[482] Thus composed the ministry might prove a very workable system, and it partially represented the "broad bottom" idea so grandiloquently prophesied.

The platform on which the Chatham ministry stood was one demanding reform in many lines. The foreign policy was to be revolutionized by the formation of an alliance of England, Prussia, and Russia as an offset to the Franco-Spanish family compact. The territorial possessions of the East India Company were to be taken over by the imperial government so that the immense riches of the far East would flow into the treasury to pay the debt of Great Britain and relieve the people of taxes. The problem offered by the new possessions in America was to be considered seriously and a progressive policy inaugurated. To all these planks the king gave his cordial consent.

The ideals that floated in Lord Chatham's mind could not be realized but they were of noble character and were accepted by his colleagues with a religious fervor. His closest associate and adviser, Lord Shelburne, has left a carefully considered description of the

[481] Grafton, *Autobiography*, 107.

[482] They were: Duke of Portland, Lord Chamberlain, Earl of Besborough, Cofferer, Lord Monson, chief justice in Eyre, Sir Charles Saunders, Sir William Meredith, and Admiral Keppel, all on the admirality board. See Albemarle, *Rockingham Memoirs*, vol. ii, 12.

lofty principles which guided the Chatham of this era:

> The ministry of 1766 was formed of those who recognized that the Hanover family was become English, and the old mode of false government worn out and seen through. It was proposed no longer to sacrifice all merit and worth in army, navy, church and state, to the miserable purpose of corrupting a majority of the House of Commons, but that the Crown should trust to the rectitude of its own measures, taking care by a scrupulous regard to merit and a just distribution of honors, to secure a general conviction of its good intentions, and under that conviction to restore the constitution.[483]

In their home politics, in their plans for the reorganization of East India, and in their purposes toward America the ministers embodied in their platform the noblest ideals of their day. In any interpretation of the imperial policy of the reign of George III., therefore, this platform should be selected as the standard toward which politics had been previously developing, perhaps unconsciously, and from which later events forced a departure.

The history of the foreign policy and of the plan for East India, proposed by Lord Chatham, does not belong to the present discussion except in so far as the pursuit of the second wrought changes in the ministry itself. "The East India Company"–to quote Lord Clive's golden description that must have aroused to activity the most sluggish brain–"are at this time sovereigns of a rich, populous, fruitful country, in extent beyond France and Spain united: they are in possession of the labour, the industry, the manufactures of twenty millions of subjects; they are in the actual receipt of between five and six millions a year; they have an army of fifteen thousand men; the revenues of Bengal are very little short of four millions sterling a year; out of

[483] Fitzmaurice, *Life of Shelburne*, vol. i, 402.

which revenue, the company, clear of all expences, receive £1,600,000 a year."[484] In the company that exercised the power over this empire there developed two parties, one anxious to maintain and extend the territorial possessions, the other to limit the activities of the company to trade and to place the territory under the control of the government. In 1765 these two parties had struggled for ascendency in the board of directors; and the former with the help of the Grenville-Bedford administration had been successful and sent Clive to India again. The Chatham ministry, or rather the Pittite members of it, supported by a large number of the directors and proprietors of the company, were in favor of the other alternative, namely the assumption of the territorial possessions by government. Their extravagant idea of the far reaching consequences of such a measure was later expressed by one of them: "If the king had continued his confidence in the sound part of his administration in 1767, the East Indies might have proved the salvation of this country, without injury to the company or to any individual, and . . . peace might have been preserved in Europe and in America."[485]

Within the cabinet itself there was an irreconcilable division of opinion upon this issue, General Conway and Charles Townshend, chancellor of the exchequer, being particularly opposed to such drastic measures. Both men were undoubtedly influenced by their long association with the Old Whigs who, on account of their relation to the trading classes and their own proprietary

[484] Cavendish, *Debates of the House of Commons during the Thirteenth Parliament*, 260.

[485] Shelburne to Chatham, February 3, 1775, Fitzmaurice, *Life of Shelburne*, vol. i, 469. See also the letters on the subject in Pitt, *Correspondence*, vol. iii, 59 ff.; Grafton, *Autobiography, passim.*

interests in this company and similar monopolies, were steadfast in their opposition to all attacks on vested interests. The determination of Lord Chatham and his associates to investigate the East India Company with the view of obtaining what they considered the government's rights probably was one of the influential factors in a decision that had far reaching consequences upon the destinies of the Chatham ministry and their plans; the Old Whigs, unable to lend their support to measures so contrary to their principles, seized upon the first opportunity and resigned.[486] After this defection near the close of November, 1766, the administration was opposed by an alliance of the Bedfordites, the Grenvillites, and the Old Whigs, whose followers in the two houses almost equalled in number the ministerial forces.

In order to overcome the parliamentary weakness due to this defection, Chatham tried throughout the fall to attach to himself the Bedfordites with whom he was on better terms at this time than with the followers of Lord Rockingham. He was apparently prepared to open up many places to them and even to admit to the cabinet the Duke of Bedford. The king's fear and dislike of this latter nobleman defeated this purpose since it was

[486] The resignation occurred in November. The reason usually assigned – and undoubtedly a determining factor also – was the transference of Lord Edgecombe to another position, but their determined opposition to the East Indian Company measures of the government, which had been decided upon before the resignations, furnishes proofs for the statement in the text. In a letter to Sir Horace Mann, dated December 8, 1766, a few days after the resignations, Horace Walpole wrote that this opening of the East India question was the direct occasion of the resignations. See Walpole, *Letters*, vol. v, 31; also Walpole, *Memoirs of George III.*, vol. ii, 278; Albemarle, *Rockingham Memoirs*, vol. ii, 25; Newcastle, *Narrative* [Camden Society, *Publications*, new ser., vol. lix], 97; Pitt, *Correspondence*, vol. iii, 126, 130, *footnote* 1; Grenville, *Papers*, vol. iii, 345, 389; Jesse, *Memoirs of George III.*, vol. i, 390; Grafton, *Autobiography*, 103, 106. For the later opposition of the Old Whigs, see *Parliamentary History*, vol. xvi, 359, 405; Grenville, *Papers*, vol. iii, 281.

impossible, in opposition to the monarch, to take into the ministry a sufficient number to satisfy the rapaciousness of the Bloomsbury Gang.[487]

Without such aid and in spite of the obstructions of Conway and Townshend, the administrative forces might have been able still to have carried out the Pitt policies, had the leader himself continued in good health. Chatham's eloquence, although confined to the House of Lords, would have echoed throughout Great Britain and would have strengthened the allegiance of his weaker followers; but it was silenced all too soon. The prime minister's health was undermined by the gout, and the mental effort required to form the ministry completely broke down his strength. By the end of the year 1766, only a few months after taking office, he was a physical wreck and never after that was of the least assistance to his colleagues. After his departure from London, he withdrew completely from business alleging his sickness as an excuse. From the isolation of the sick-room, over which Lady Chatham stood guard, the entreaties of the king and his colleagues failed to draw him. Again and again the Duke of Grafton and the Earl of Shelburne made futile efforts to see him. Even the king sent messengers without success. Letters were written and Lady Chatham answered them; Lord Chatham was not to be disturbed. The cabinet remained in ignorance of his plans and purposes.[488]

The nominal leader of this decapitated ministry was the Duke of Grafton, pliant in the closet, a follower of

[487] Walpole, *Memoirs of George III.*, vol. ii, 283; Grafton, *Autobiography*, 106; Bedford, *Correspondence*, vol. iii, 348 ff., 355; Almon, *Anecdotes of Pitt*, vol. ii, 106 ff.

[488] Grafton, *Autobiography*, 110; Pitt, *Correspondence*, vol. iii, 170, 256, and many other places.

Chatham, broad-minded, and at heart a friend of America. His companions of the cabinet exhibited the widest divergencies of opinion among themselves. The vacillating Conway still looked longingly at his former friends, the Rockingham Whigs, never felt at ease in his service to a ministry to which they were in opposition, and often voted with them.[489] Lord Shelburne, who was the real representative of Chatham, was hardly on speaking terms with many of his associates, frequently absented himself from cabinet meetings, and was distrusted by all, including the king who had at first received his return to office in a kindly spirit.[490] The brilliant, volatile Charles Townshend continued to justify his reputation for instability and frequently supported the opposition.[491]

In order to understand the ill considered measures and the unfulfilled promises of the Chatham ministry, this headless and divided condition must be constantly borne in mind. After setting out on its course under the most favorable conditions of court favor and popular approval, it was finally wrecked on account of the

[489] Walpole, *Memoirs of George III.*, vol. ii, 273.

[490] In speaking to Newcastle of this appointment of Lord Shelburne, the king said: "He will make a very good one" [i.e., secretary of state]. See Newcastle, *Narrative* [Camden Society, *Publications*, new ser., vol. lix], 90; but see Walpole, *Memoirs of George III.*, vol. ii, 248, and Fitzmaurice, *Life of Shelburne*, vol. i, 280 for opposite view. For Shelburne's relation to his colleagues, see the letter of the king to Chatham, May 30, 1767, in Pitt, *Correspondence*, vol. iii, 260; also Charlemont to Flood, April 9, in *idem*, vol. iii, 240, *footnote* 1.

[491] Townshend had been brought in through the influence of the Duke of Grafton against the wishes of Lord Chatham, but he was not admitted to the cabinet until just previous to Chatham's long sickness. See Grafton, *Autobiography*, 92, 105. Burke's famous characterization of Townshend may be found in his *Speech on American Taxation*, and Fox's in Fitzmaurice, *Life of Shelburne*, vol. i, 193. Walpole's opinion may be found in his *Memoirs of George III.*, vol. iii, 72, where in a note is another interesting description of the erratic minister.

mutiny of the crew and of the failure of the commanding officer. Not one of the many proposed plans of reform was carried to a successful completion. Over the most important measure, that concerning the East India Company, battle after battle was waged with the vested interests and after long delay a compromise very favorable to the company was the result. This subject, like that of the repeal of the Stamp Act, divided factions by thrusting into politics an issue involving those great principles which drive to partisanship; and it is possible to catch now and then through the smoke of factional war a glimpse of the battalions of real parties falling into their future formations. Years were to elapse before broad principles based on the rights of humanity would attain social force sufficient to break those bonds of family pride and clannish self-interest which held together the great factions; but in the case of the struggle over the East India Company's possessions, it is possible to perceive their final destruction.

The policy of the American colonies was to meet a worse fate than that of the far East. Lord Shelburne had been chosen by Chatham as the man best fitted to solve that difficult problem, and by the previous reorganization of the Board of Trade every opportunity was given him to develop his own policy. Ever since Lord Halifax had raised this latter body to influence in the molding of the British colonial policy, the greatest lack of unity in the administration of America had prevailed. Two offices of almost equal power, the secretaryship of the Southern Department and the Board of Trade were, on account of jealousy, always working against each other. Both Lord Shelburne and Lord Hillsborough who had been chosen as Lord Dartmouth's successor had experienced the disadvantages of

this system. It was, therefore, agreeable to all concerned when Hillsborough preferred that the Board of Trade be stripped of the powers which had recently been granted to it and be limited to the simple duty of drawing up reports. Accordingly it was under conditions which left the complete control of colonial affairs in the hands of Secretary Shelburne that Lord Hillsborough accepted the subordinate office.[492]

Shortly after assuming his new duties, Lord Shelburne turned his attention to the colonies and, as was his habit, he first made a memorandum of the elements in the problem to be studied. This analysis of his affords a glimpse into his mind at the time when he undertook this important labor.[493]

> Things to be considered of in North America.
>
> 1st. What have been the measures pursued to this time in general.
>
> 2ndly. What really ought to be done to advance the settlement of it? Maintain the government and secure the dependance.
>
> 3rdly. What stands now proposed by different parts of government.
>
> The first can be learnt only by time and reading everything thats to be met with de die in diem.
>
> The second follows the first, is matter which requires cool judgement and thorough reflection. The 3rd. stands thus –
>
> 1st. A Plan of L^{d} Barringtons for a disposition of troops and reduction of forts. This has been sent to General Gage and is returned with remarks. S^{r} Jeffrey Amherst entirely disapproved this plan.

[492] Hillsborough to Grenville, August 6, 1766, Grenville, *Papers*, vol. iii, 294; Hillsborough to Sheburne, August 14, 1766, in Public Record Office, *Colonial Office Papers*, 5.216, p. 18; Privy Council minute, August 6, 1766, in *idem*, 30. Lord Chatham took great credit to himself for this arrangement of "the most critical office in the kingdom, so happily fixed, through and by my channel." – Pitt, *Correspondence*, vol. iii, 116. Lord Barrington declared that Hillsborough did not like the position. See *idem*, 138, *footnote* 1.

[493] *Lansdowne Manuscripts*, vol. xlix, 17.

2ndly. The Indian plan proposed by L^d^ Hillsborough – when at the Board of Trade formerly and was renewed. It has been sent over America. The papers lately sent to the office from the Board of Trade take notice of it.

3rdly. A general plan of reduction of American expences proposed by M^r^ Townsend on account of the necessity of reducing the general national current expences against Parliament and of the enormity of late draughts from America.[494] To judge of this the expence of America must be stated – How incurred? What the expence of particular services have been? and what they are likely to continue? Who has the power of drawing? and who is depended on for checking them? Then and only then a proper judgement can be formed. But in the meantime they must be considered without loss of time as well as the two first heads, that whatever can or is fitting to be immediately done may be prepared for decision and likewise letters may be wrote to the king's servants in America to apprise them in general of the disposition of government, what is likely to be done and also to make such enquiries of them as may be necessary either to judge of these plans or form others which the distance of America and the length of time required to wait for answers makes it essential to do without delay.[495]

Having thus outlined the problem to his own satisfaction he began his investigations. It was to be almost a year before he had collected his data and had matured his plan, and even then the ill considered action of a colleague in the ministry hastened the announcement of the policy which had been taking form in his mind. Hasty conclusions were not one of his weaknesses. In spite of a quick imagination – perhaps because he was conscious of his imagination – he was deliberate and careful. His correspondence during the period of his ministry was enormous.[496] He wrote to all those whose

[494] This has not been found. It was probably drawn up under the Rockingham ministry and supplemented Lord Barrington's report.

[495] The rest of the notes do not concern us here.

[496] Through the courtesy of the Most Honorable the Marquess of Lansdowne and through the generosity of the graduate school of the University of Illinois, I have been able to have copies of this correspondence made for me.

opinion might be of value. From all the governors and other officials he collected information. From travelers he asked advice. His knowledge of the subject was increased by conversation with everybody. He was constantly in personal touch with Benjamin Franklin and Richard Jackson. His secretary, Maurice Morgann, made most careful investigations of the various phases of the problem. In the end he became better informed on all aspects of the colonial policy than any minister of the eighteenth century.

Before following his numerous letters across the sea and elsewhere, it will be better to understand Lord Shelburne's own conception of the relation and value of the colonies to Great Britain. The material for this period of his career is very complete and therefore there is little danger of drawing wrong conclusions as would have been the case had such an examination of the sources been made for the time when he was president of the Board of Trade.[497] According to his view the colonies were dependencies of Great Britain, not "constituent parts of the Empire," and were planted in order to increase the commerce and wealth of the mother country. Over such dependencies the Parliament had unlimited power even to do unjust things but

[497] The available sources are the following: A paper against the Stamp Act in *Lansdowne Manuscripts*, vol. lxxxv, 71 (the marginal notes on this paper are in the handwriting of Sergeant Glyn, and it is probable that this is one of the papers that he wrote for Lord Shelburne. Paper indorsed, "Reasons for not diminishing American expenses this year," dated March 30, 1767, *idem*, 102," Paper on errors of Great Britain and means of punishing the colonies for resistance in 1766", *idem*, 81. This paper follows very closely the reasoning in a letter written by Maurice Morgann, private secretary to Lord Shelburne, April, 1767 [*idem*, vol. xlix, 711], and may have been written by Morgann himself at the suggestion of Lord Shelburne, as Lord Fitzmaurice suggests, *Life of Shelburne*, vol. i, 315, Shelburne's speeches as reported in *Parliamentary History*. The paper dated March 30 may be found in Alvord and Carter, *The new Régime* [Illinois *Historical Collections*, vol. xi], 536 ff.

should limit itself to doing only that which was right, and Shelburne's conception of right gave to it more binding power than law. It was bounded by the British constitution and by the general "idea of equity and justice, which are the regulations of a much higher legislature." The right of the mother country empowered her to enforce such laws as were calculated to attain the ends for which the colonies were founded. As far as she was concerned these ends were the enjoyment of exclusive trade, if it seemed best to make it exclusive; and in the sale of her commodities the mother country was to see her single advantage. The prerogative of Great Britain rested in the very nature of the relation. On the other hand the colonies were subjects of Great Britain and as such should enjoy the liberties belonging to that condition, one of which was the levying of taxes only by their representatives. The mother country obtained by exclusive trade some of the wealth of the colonists, and part of the profits from this was paid into her treasury by her traders and manufacturers. In return for the privilege of exclusive trade, it was the duty of Great Britain to foster the colonies, promote their welfare, and protect them from their enemies. To accomplish this their constitutions should be made more liberal, their self-government more real, and only such funds drawn from them to assist the mother country as may be paid by them in seeking their own interests or are freely voted by their representatives. The relation existing between the two parts of the empire was very delicate and might be easily severed by injustice on the part of the mother country; but if this did not happen, the colonists would raise Great Britain to the "utmost height of power."

In order to collect the necessary information con-

cerning America Shelburne wrote, on December 11, a circular to each governor, in which he requested "an exact estimate of the annual charge of maintaining and supporting the entire establishment" of the colony, distinguishing the different funds and for what services they were appropriated. Also he desired that there be transmitted to him at the same time an account of the manner of imposing quitrents, the arrears then outstanding, the method by which land was granted, and the number of grants.[498]

The future plan already taking form in his mind is revealed by the following letter to General Gage, of the same date:

> I write to acquaint you of three very material points, which are thought to require the deliberation of the king's servants in order to their being laid before him.
>
> 1st. A proper system for the management of the Indians, and for the carrying on the commerce with them on the most advantageous footing.
>
> 2nd. The most eligible manner of disposing of the troops; as well for convenience as for offence and defence.
>
> 3rd. A reduction of the contingent expenses of the establishment in North America, and the raising an American fund to defray American expenses in part or in whole.
>
> As so much depends upon the happy regulation of these different articles, they require to be well weighed before a final resolution can be taken upon them, and as the king is desirous that they shall be regulated with all dispatch that is consistent with securing both the permanence and honor of his government, and the prosperity of his American subjects, every light and information which can be added to those we are already possessed of, will be duly attended to.
>
> You will therefore pay the utmost attention to these three points, and from time to time transmit such information and reflections upon them as shall occur to you.

[498] Printed in New York *Colonial Documents*, vol. vii, 880. Shelburne supplemented this letter by one on January 13, asking for a statement of the fees demanded by offices for making out grants of land. See *idem*, 889.

In regard to the first article, that of the Indian affairs, a plan formed some time ago has been under deliberation.[499] As this plan was transmitted to all the governors in North America for their opinions, it must have fallen within your observation. Many articles in it however appearing not so well calculated for the end proposed as could be wished, and several others being rather detrimental to it, there is a necessity either of reforming it, or of substituting another in its place. But it is to me matter of doubt whether any method of managing Indians can be found preferable to that of leaving the trade of each province to the particular care of that province, under some general rules and restrictions to which all the provinces must be subject in general.

A plan drawn up by Lord Barrington has been some time under consideration for quartering the troops. This matter will be fully discussed here, but as it is possible that in the end His Majesty may leave it in great measure to your prudence and judgment, you will lose no time to consider this point fully. In the meantime it is His Majesty's desire, that in any changes of the present disposition you have occasion to make, regard be had to make the military as little burdensome to the inhabitants as possible, by disposing them preferably among the young colonies, where in many respects they must be considered as advantageous rather than in His Majesty's more settled colonies, except where they are desired, or in your opinion wanted.

The third article is that of the greatest consequence, and therefore merits the most particular and mature consideration.

The forming an American fund to support the exigencies of government in the same manner as is done in Ireland, is what is so highly reasonable that it must take place sooner or later. The most obvious manner of laying a foundation for such a fund seems to be by taking proper care of the quitrents, and by turning the grants of lands to real benefit, which might tend to increase rather than diminish the powers of government in so distant a country.

You must be sensible that very great abuses have taken place in both respects which cry aloud for redress.

Proper regulations for these purposes might be a means of

[499] This refers to Lord Hillsborough's plan.

preventing Indian disturbances in future, which now in great measure arise from individuals possessing themselves of their lands without the knowledge of government.

It is far however from His Majesty's intention that any rigour should be exercised in respect of quitrents long due, but nothing can be more reasonable than that the proprietors of large tracts of land (which ought by the terms of the respective grants to have been cultivated long since) should either pay their quitrents punctually for the time to come, or relinquish their grant in favour of those who will.

As to the manner of making out grants of land for the future, I could wish to have the best information possible, so that such a system might be adopted for that purpose, particularly in the new and conquered provinces, as would at the same time serve to promote the good of the colonies, and lighten the burden which lies upon the mother country.[500]

The answers to his questionaire reached Lord Shelburne during the early months of 1767 and disclosed a chaotic condition in the methods of granting land and of collecting the quitrents.[501] From New England, Pennsylvania, Maryland, and New Jersey, no quitrents were collected by the crown, since the power of granting land rested in the colonial governments. Liberal terms had been granted to settlers in the new colonies of East and West Florida and in Nova Scotia, but these had been established too recently for their experience to be of any value.[502] This left only five royal colonies whose returns might offer data from which inferences might be drawn. Governor Moore of New York reported that land was granted for two shillings and six pence sterling per hundred acres; but that large tracts

[500] Printed in Fitzmaurice, *Life of Shelburne*, vol. i, 305-307.

[501] This account is drawn from the official returns made by the governors. See *Lansdowne Manuscripts*, vols. lv and lvi.

[502] The terms in East and West Florida were one halfpenny per acre annually two years after the grant was made. In Nova Scotia the fee was one farthing per acre.

of land had been given away for which no quitrent had been collected. The payments were always four or five years in arrears and up to 1765 the amount collected annually had not been sufficient to meet the king's warrants for £460 drawn against them.[503] The reports from Georgia and the two Carolinas were even more discouraging. The governor of South Carolina reported that the rent roll was not even in existence and nobody knew how much was due or who should pay. The conditions were somewhat better in Virginia. The fee here was five shillings for fifty acres and one shilling quitrent; but, by collusion between friends to defraud the government, many escaped payment;[504] still the total sum collected was at least appreciable. From all the colonies the crown collected less than £16,000 in quitrents a year. Not a large sum even when other sources of income from America were added to set over against £420,453 which the chancellor of the exchequer calculated as the annual expense of the American colonies to Great Britain.[505]

The present state of the quitrents concerned only the lands east of the mountains, but the knowledge gained would be of value in any plan for the future development of the West. Even more directly bearing on the western problem was the experience of the new colonies of East and West Florida and the somewhat older colonies of Nova Scotia and Georgia. As yet these were all an expense to the crown and there was no par-

[503] New York *Colonial Documents*, vol. vii, 900, 901.

[504] The following figures are from Public Record Office, *Colonial Office Papers*, 5.1330.

In 1761	Quitrents collected	£6400.	18 s	4 d
	netted government	4396	17	9
In 1762	collected	11672	1	11
	netted	8923	18	6

[505] *Lansdowne Manuscripts*, vol. lvii.

ticular hope of immediate relief, since there had not been the expected rush of settlers into these territories. The land in East Florida had been taken up very generally by speculative friends of government, who had made no efforts to secure colonists, though there was an undertaking to introduce Greeks. In West Florida conditions were much worse. First of all a tradition that the country was unhealthy had arisen very early in its history and had persisted in spite of the published descriptions inspired by the ministry and interested parties. The knowledge of the ill health suffered by the troops became public property and made people skeptical of all enthusiastic accounts. To this tradition must be added the very serious controversy between the governor and the military commandant, between whose duties the ministry had failed to draw a sufficiently clear line of delimitation. Governor Johnstone was one who stood strongly on his prerogative and insisted on performing functions obviously belonging to the Military Department. Furthermore he had been instructed to erect posts wherever they were required and in accordance with this instruction he had established Fort Bute on the Iberville River and had thus infringed upon the rights of the commander-in-chief, to whom had been confided the duty of distributing the troops.[506]

Thus wherever they cast their eyes the ministers discovered expenditure of money accompanied by failure. The past experience in colonial enterprises gave little encouragement to new undertakings so far as the relation of expense and income were concerned. If colonies on the seacoast had failed to meet expectations what chance was there that colonies in the interior would

[506] Gage to Haldimand, September 6, 1767, in British Museum, *Additional Manuscripts*, 21663, p. 112.

prove to be greater successes? Here, in the great valley of the West, the situation was complicated by the presence of the Indians and by the many rival interests that have already been pointed out; yet it was concerning this land that the true policy must be formed. This vast and rich territory remained a wilderness, the home of the Indians, still closed to colonization by the proclamation of 1763. The neighboring colonies were looking across the mountains with longing eyes. Some hardy adventurers had even passed the divide and in defiance of the authorities had made homes for themselves along the banks of the upper Ohio waters.

XI. INDIAN MANAGEMENT AND WESTERN TRADE

People must be ruled in a manner agreeable to their temper and dispositions, and above all people of a free and independent character. The British colonist must see something, which will distinguish him from the colonists of other nations. – History of the First Ten Years of George III.

While Halifax, Hillsborough, Dartmouth, and the other politicians of Great Britain had been discussing and debating about the future of the new acquisitions and while King George III. with a childlike eagerness to see the anticipated consequences of his peace had been urging his servants to initiate some definite action, events had been occurring within the far off forested heights and wide stretches of prairie land of the American hinterland that had brought many changes in conditions. The Indians who had so boldly and unitedly answered Pontiac's summons to battle had felt the iron hand of Great Britain and had sued the despised white man for peace; the British flag was at last waving over the walls of Fort de Chartres in the Illinois country symbolizing the completed occupation of the ceded territory; large numbers of traders were passing up and down the rivers and wandering over unfamiliar paths in the search for furs; the superintendents of Indian affairs had inaugurated the centralized system of control of the trade and were trying through deputies and commissioners to maintain amicable relations between the arrogant whites and the sullen brown visaged natives

of the West; and lastly several new land companies possessing great prestige and influence had been formed and were impatiently waiting for an opportunity to exploit various parts of the territory. Lord Shelburne's correspondence during the years 1766 and 1767 brought him full information of these many events. Letter followed letter presenting before his eyes the changing picture of the unknown land, and his imagination enabled him to seize the constant and significant and to form a comprehensive view of the many complex problems in that vast territory which had been committed to his care.

In his eyes as in those of his contemporaries the occupation of the land by the Indians was the factor that stood out most conspicuously in the western situation and with its many complications overshadowed all others. In whatever direction he cast his eyes the ominous problem of the rights of the natives and of their management raised its head. From Canada to the Gulf of Mexico the Indians' hunting-grounds stretched along the slopes of the mountain westward, even here and there crossing the divide to the eastward as in New York and the southern colonies. How should these natives be managed? What advantages could be drawn from them? Should their lands be opened for settlement? If so, how could it be done without raising an Indian war? How could the natives be protected from the rapaciousness of the traders? All these questions had been forced on the attention of the ministries since 1763 and it has been seen how they were answered. These were the same questions that confronted Lord Shelburne three years before when he was president of the Board of Trade; but now, however, the measures of his predecessors had added to his perplexities. An

imperial system, founded on a belief in the administrative ability and honesty of crown officials, had been partially but not authoritatively put in execution. This experiment had been in operation for a few years and some idea of its effectiveness and cost could be estimated.

The superintendent of Indian affairs for the Southern Department, John Stuart, was the first to inaugurate the Grenville-Bedford plan for the organization of Indian affairs. He received a copy of this plan in 1764 while he was in West Florida. Although he was not authorized to introduce it in its entirety, he consulted Governor Johnstone and the two were of the opinion that there could be no doubt that the final orders to do so would be forthcoming in due season; and they, therefore, took definite steps to put the plan in operation in the Southwest. When Stuart was later taken to task for his action he claimed that he had received orders from General Gage.[507] In accordance with the plan the southern superintendent appointed commissaries for the various Indian tribes, but he limited himself temporarily to one deputy, Charles Stuart, who resided in West Florida.[508] Printed instructions for the guidance of traders were distributed and every effort was made to bring the expected order out of the chaos that reigned in the trade.[509]

[507] Hillsborough had instructed both superintendents to put in force as much of the plan as possible.

[508] The commissaries were as follows, according to Stuart's letters in *Lansdowne Manuscripts*, vol. lvii: John McIntosh for the Chickasaw; Elias Legardere for the Choctaw; Alexander Cameron for the Cherokee; Roderick McIntosh for the Upper Creeks; Charles Taylor for the tribes on the Mississippi. Stuart appointed Montberault a deputy agent for a short time. See Stuart to Pownall, August 24, 1765, in *idem*, vol. lx. Consult also Hamilton, *Colonial Mobile, passim.*

[509] Stuart's instructions are indorsed: "Copy of regulations of trade with the Indians agreed to by the governor and council of West Florida and proposed to the governors of East Florida, Georgia and South Carolina." They

Sir William Johnson, superintendent of the northern Indians had also understood that he was empowered to organize his department along the line of the plan sent to him; but he delayed doing so until the spring of 1766, when the reports from the Illinois country proved that the French from Saint Louis were monopolizing the western fur trade. To prevent this the various posts named by the Board of Trade were established and commissaries, smiths, and interpreters were appointed, and these were regularly supervised by the deputies.[510] There is in existence among the Johnson manuscripts at Albany, New York, the form of instructions sent to these commissaries.[511] They were informed that:

> The inspection of trade, correcting abuses, redressing grievances, gaining intelligence of all Indians, being the principal objects of your appointment, you will diligently apply yourself to discharge these important trusts, to which end you are immediately to inform yourself of the manner in which trade has been hitherto carried on, and the most reasonable prices of goods, and peltry; [and] the strength, connections and interest of the several tribes about you with their sachems, warriors, etc., all which you are to report without delay, etc.

are found in Public Record Office, *Colonial Office Papers*, 323.23. They were sent to London in his letter of August 24, 1765. The next year these instructions were somewhat altered and widely distributed throughout the Southwest. These are found in *idem*, 323.25, p. 26. Stuart sent to Shelburne a copy of the printed instructions on April 1, 1767. *Lansdowne Manuscripts*, vol. li, 161.

[510] The western district, comprising Fort Pitt, the Illinois and Detroit was under George Croghan; the province of Quebec was under Daniel Claus; the middle district, comprising Michillimackinac, Niagara, and Ontario, under Guy Johnson; Nova Scotia under Joseph Gorham. See *Johnson Manuscripts*, vol. xv, 237.

[511] These steps were not completed until June, 1766. In March of that year, Johnson wrote of the fitness of Lieutenant-colonel Cole (Fort de Chartres), Lieutenant Roberts (Michillimackinac), and Lieutenant Jehu Hay (Detroit) for such positions. See *idem*, vol. xii, 90. On March 22, he wrote to the Board of Trade that, with the concurrence of General Gage, he had made such appointments without waiting for authorization, and gives the reason cited in the text. See *idem*, 101. The instructions to commissaries are printed in Alvord and Carter, *The new Régime* [Illinois *Historical Collections*, vol. xi], 529.

The instructions to traders drawn up by the two superintendents were very stringent and were intended to control the traders in the minutest details so that there should be no opportunity for them to practice such tricks upon the Indians as had been the case in the past.[512] By a clause in the proclamation of 1763 trade was free to all, and anyone upon application to a governor could obtain a license. By the superintendent's regulations the trader, as he traveled through the Indian country, was required to show his license from his governor at each post visited and also to exhibit an exact invoice of his goods. Having completed his business he must secure a pass from the commissary in order to go to the next post. He was strictly forbidden to open his packs for the purpose of sale except at a post and under the eye of the commissary, one of whose chief duties was the determination of prices. The efforts of the representatives of the superintendents were not successful in ending the Indian disturbances, for as Johnson wrote to Lord Shelburne:

> The Persons I have appointed as commissarys are gentlemen of understanding and character known to the Indians and acquainted with their dispositions. My three deputies have each a district allotted for their visitation and transacting all business subject to my directions, but as yet their powers are not at all ascertained, the commissaries have no authority, and it is not in my power to enable them to execute their office as they ought, and as the plan directed from the many obstructions and disputes of their authority, and their inability to punish any frauds, or redress any grievances, my own case and that of my deputies are circumstanced in the same manner, whilst reasonable powers supported by laws, and the proposed expences for presents, etc., would enable me to pursue that uniform system from which alone I can hope for success.[513]

[512] The date of Johnson's instructions is not given but it must have been some time in 1766.

[513] January 15, 1767. New York *Colonial Documents*, vol. vii, 893.

The plan for the management of the Indian trade had thus received a trial in both the northern and southern districts, and it was possible for the new southern secretary to obtain opinions from various men on the subject. It was very evident after two years' experiment that the system would entail a great expense upon the mother country. The bills sent in by Stuart, who had been the first to try the experiment, were heavier than those from the Northern Department, while it was under the old régime; but as soon as Sir William Johnson had appointed his deputies and commissaries, there was a marked increase in expenditure in that region – particularly in the Illinois country where Edward Cole represented the Indian Department.[514]

The merchants and officials with the best opportunities to observe the conditions existing in the West were on the whole the most severe critics of the methods of the department. Each region, however, experienced its own particular troubles. The principal complaint in the Southwest was not caused by the trade regulations which, as a matter of fact, Stuart found it very difficult to enforce on account of lack of authority, but was the result of one of the provisions in the proclamation by which the trade had been made free to all. Previously the skin trade in this region had been conducted by a few large firms in the southern colonies;

[514] On December 11, 1766, Shelburne wrote to Stuart: "The plan for the management of Indian Affairs, part of which you have too hastily adopted in West Florida, is now, and has been, for sometime under consideration. The expence incurred by it for services very inadequate is not one of the least objections to it; and I am sorry to be obliged on this occasion to observe to you, that the expenses of your district run so much above all expectation and proportion, that it is very necessary you should attend to this point very minutely for the future." – *Lansdowne Manuscripts*, vol. liii, 305. For the expenses of the northern district see *Johnson Manuscripts, passim.*

but after 1763 numerous small traders rushed into the field and competition became very intense. In 1765 Stuart wrote that the issuance by the governors of general licenses to trade with all tribes had resulted in the increase of the class of small traders and packhorse men among the Chickasaw to seventy-two, though the warriors of that tribe numbered only three hundred fifty, and that the keen competition had distracted the tribe and thrown it into confusion. He wrote, further, that the disorder among the Choctaw and Creeks was still greater.[515] In this opinion of the evils of general licenses, Stuart was upheld by Governor Wright of Georgia and by the traders of Georgia who drew up a memorial on the subject.[516] The assembly of West Florida, which was amenable to the influence of the southern superintendent, also passed in 1766 a representation against the practice.[517]

Not all the Indian troubles in the Southwest, however, arose from the freedom of trade. Many can be traced to a lack of power to enforce the regulations. Stuart did not exercise the same influence over traders and Indians as did his colleague in the North whose powerful personality was a factor in preserving some kind of order in his district.[518] His regulation that traders

[515] Stuart to Pownall, August 24, 1765, in *Lansdowne Manuscripts*, vol. lx. In his "Observations on the Plan for the Future Management of Indian Affairs," December 1, 1764, Stuart recommended that the number of traders be limited. See Public Record Office, *Colonial Office Papers*, 323.19, p. 20.

[516] *Lansdowne Manuscripts*, vol. li, 118, 203.

[517] November 22, 1766 in *idem*, vol. xlix, 564. The objection to the free and general licenses, because they increased the number of traders, was very general. Adair, in his famous book, *The History of the American Indians* [351, 366, and elsewhere] also advocated the limiting of the number of traders.

[518] Stuart to the Board of Trade, August 8, 1766 in Public Record Office, *Colonial Office Papers*, 5.67, p. 213. From all the facts known it can not be said that Stuart was an able superintendent. For a very unfavorable view see Adair, *History of the American Indians*, 367 ff.

should give bonds that they would obey the laws of the department could be enforced only by colonial officers, but these latter exhibited little disposition to assist in preserving order. Virginia, whose claims to the western territory made her always an ardent opponent of the imperialistic views of the mother country, responded to Stuart's efforts with an evasive answer. In 1767 Lieutenant Governor Fauquier wrote to him: "I know nothing of the proclamation of the 7th October 1763." As to the plan for the regulation of Indian affairs he pointed out correctly that it had never been adopted by the government and that no instructions concerning it had been received by the governors. His final conclusion was: "Upon the whole I am of the opinion that I have not authority to do anything in this affair as matters stand circumstanced with me; for I cannot stir in it without infringing the liberty of the subject; as every man is at liberty to trade with Indians in the manner he chooses, without any restraint of license or anything else, but just as the traders and Indians can agree between themselves." Virginia was, in fact, planning to take care of her own trade and appointed commissaries for that purpose.[519]

The merchants of Pennsylvania and New York were, on the whole, favorable to the plan that had been adopted for the regulation of Indian affairs, although they raised objections to certain details such as the establishment of prices by the commissaries and the pro-

[519] Fauquier to Stuart, May 6, 1767 in Public Record Office, *Colonial Office Papers*, 5.70, p. 273; Stuart to Shelburne, July 28, 1767, and an undated paper marked "Virginia," in *Lansdowne Manuscripts*, vol. li, 89, 169. A longer account and criticism of the purposes of Virginia may be found in Stuart to the Board of Trade, July 10, 1766 in Public Record Office, *Colonial Office Papers*, 5.77, p. 91. Virginia was evidently intending to exploit the territory she claimed without regard to imperial regulations.

hibition of the sale of rum.[520] These two provinces did not possess the vast claims to the West which made Virginia so antagonistic to the imperialization of the region; and the plan for organization of Indian affairs was really an outgrowth of their experiences and needs, with which Johnson, who had been the chief adviser of the Board of Trade, was very familiar. These colonies, therefore, had little criticism to make of the superintendents' regulations and were generally in favor of confining the traders' operations to posts, since such a limitation equalized their opportunities by diminishing the value of that easy access to the West enjoyed by the Canadians, their chief competitors.[521]

The real criticism of the plan came from Canada. After the conquest of that territory a great change in its economic development began. The fur trade, its principal industry, had been diligently practiced by the French; but the many minute rules issued by their government and the limitations of the French-Canadian nature, not well fitted for the exploitation of large industries, had restrained the traffic in narrow limits. With the change to the dominion of Great Britain there came the Scotch merchants with their business acumen, which had brought about the regeneration of their own country. The future of Canadian business passed into

[520] See Hanna, *Wilderness Trail*, vol. ii, 308; also, "Remarks on the plan," etc. in Franklin, *Writings* (ed. Smyth), vol. iv, 467. This latter was written for Lord Shelburne and belongs to a later period of development than that which I am discussing at this point. There were other fundamental objections that may be found in the discussion between Franklin and Shelburne.

[521] At least this was the reason for the favorable attitude of the New Yorkers towards the regulations that was given by the Montreal traders. "Memorial of [Canadian] Traders," in *Johnson Manuscripts*, vol. xii, 1. The date of this memorial is not given in the manuscript copy, but from *Lansdowne Manuscripts*, vol. I, 235, it is learned that the date is September 20, 1766.

their hands and there began that long and brilliant dynasty of Scotch fur barons which has endured down to our own day.

Although the French-Canadians had not proved themselves equal to large undertakings, they had shown themselves qualified in a high degree to carry out the operations of the fur trader. Intuitively they knew how to manage the American Indians, and the latter gave their French brothers the heartiest welcome in their wigwams and laid out the choicest furs for their inspection and purchase, even when the British were offering a higher price. These French *coureurs de bois* had also learned the best method of conducting the business long before the British merchants had emancipated themselves from the traditions of the Hudson's Bay Company or of the merchants of Albany who erected their trading posts on the coast or near the settlements whither they expected the Indians to convey their peltries even though compelled to travel a distance of hundreds of miles over swollen rivers and high mountains. It was in accordance with this long established British practice that the Board of Trade had incorporated in their plan the establishment of posts to which the buying and selling of furs should be limited. The French-Canadians, however, were not prepared to conduct the industry in the British manner. Their custom had been to go to the Indian villages to trade and then during the winter to follow the tribesmen to their winter hunt and on the spot where the fur-bearing animals were caught to exchange their merchandize for the peltries. This method of business had become fixed among the Canadians, and the Indians with whom they traded were not in the habit of traveling miles with their packs for the sake of making a sale. The new requirement of the British ministry and their agents was

thus running contrary to customs a hundred years old, and the attempt to turn the business into new channels and strange methods was a failure. If the new plan were to succeed at all, it would mean such a multiplication of posts that the cost to the mother country would be enormous, and it was soon perceived in Canada that it was totally impracticable. The most northern post was at Mackinac; but the French traders had wandered much farther to the north and had already accustomed the natives to a market located on the banks of Lake Winnipeg.

The British merchants, who began immediately to exploit the French-Canadian genius, could not be compelled by London-made enactments to abandon this profitable traffic and paid almost no heed to the new regulations. Sir William Johnson complained that they and their agents went to the Indian country without passes and followed the warriors to their hunting-grounds, and that when his agent tried to enforce the rules he met with a flat defiance.[522] In 1766 the Canadian merchants angered at the attempted restriction of their movements memorialized the governor and council on the subject of the Indian trade. They made the charge that no steps had been taken to place the management on a right basis, that the confinement of the traders to the established posts occasioned a serious loss to them and a very grievous hardship to the Indians, and that the French traders of Spanish Louisiana, since they were not so restricted, were monopolizing all the western trade formerly centering in Montreal and Quebec.[523] The merchants who made Detroit the scene of

[522] Johnson to Shelburne, May 30, 1767 in *Johnson Manuscripts*, vol. xiv, 199. See also Johnson to Carleton, January 22, 1767 in *idem*, 26.

[523] — *Idem*, vol. xii, 1. This memorial is without place or date, but the fact that it was inclosed in a letter to Johnson, April 15, 1766, fixes the time approximately.

their operations drew up a similar list of complaints in a memorial to Jehu Hay, the Indian commissary at that place. They pointed out that some Indians were compelled to travel immense distances in order to purchase their supplies and that the traders who obeyed the regulations were at a disadvantage in the competition with those who did not.[524]

The Canadians found in their new governor, Sir Guy Carleton, a sympathetic listener. He was a man who adjusted his ideas readily to the new conditions surrounding him and perceived that the traditional policies of Great Britain were in many ways inapplicable to the French civilization. The new Canada must be built upon the old. An uncompromising break with her past would mean both political and economic disaster. It was from this viewpoint that he looked at the problem of the fur trade, and he concluded that the safest course for Canada was the continuance of her well established methods. He, therefore, became the advocate of the cause of the new subjects both with Sir William Johnson and the home government[525] and fought for the right of the Canadians to conduct their business in their customary manner. Finally Lord Shelburne was convinced of the justice of this view and ordered Johnson to permit traders to range freely over the country north of the line of the Ottawa River and the Great Lakes.[526]

Upon one value of the new acquisitions London politicians agreed. They were convinced that the fur

[524] The correspondence is in *Johnson Manuscripts*, vol. xv, 56, 57, 157.

[525] His correspondence with different people on this subject is found in *Johnson Manuscripts*, vol. xiv, 199, 236; vol. xxv, 52; *Lansdowne Manuscripts*, vol. li, 279.

[526] Shelburne to Johnson, June 20, 1767 in *idem*. Johnson himself seems to have been convinced that this was the safest course.

trade would prove to be profitable; and they all, with a few exceptions like Lord Barrington and his followers, were angered by the reports of the encroachments upon British territory by traders from New Orleans and Saint Louis. Under the French régime the Canadians had carried on the trade throughout the territory surrounding the lakes as far south as the Illinois and Wabash Rivers, and the citizens of Louisiana had exploited the Indians to the south of that line, though they had found formidable rivals coming from Virginia and the Carolinas. After the conquest it was expected that the British would immediately inherit the whole of the Canadian trade without any competition; but this did not happen. From all sides came complaints concerning the intruders. The foreign merchants of Louisiana went everywhere. They were found among the Choctaw and Cherokee of the Southwest; they ascended the Mississippi to its sources; they crossed the portages to Lakes Michigan and Superior; and the old friendliness of the Indians for the French gave them an advantage in every place.

The seriousness of this situation was not realized until the spring of 1766. The occupation of the Illinois country by the British troops had been impracticable until after the Indian uprising incited by Pontiac had been completely crushed. It was not, therefore, until October, 1765, that a detachment of the Black Watch under Captain Stirling took possession of Fort de Chartres and that the British flag waved over all the territory ceded by France.[527] A few days later Major Farmer arrived with more troops from New Orleans.

[527] The documents concerning these events in the Illinois country are printed by Alvord and Carter in the *British Series* of the Illinois *Historical Collections*, vols. x-xi.

The French were compelled to take the oath of allegiance and a form of military government was established at this farthest western post. Nothing appeared now to stand in the way of the expansion of British trade and preparations were being made at all the commercial centers to reap the full benefits from the opportunities.

From Canada the traders poured into the Great Lake region setting up their stores in Detroit, Mackinac, and Green Bay, and in a short time the flow of peltries that had been accustomed for generations to follow the Saint Lawrence River to Paris was turned aside to find a final harbor in the storage rooms of London and Glasgow. In this region the merchants from New Orleans and Saint Louis had little chance of continuing the competition with the better prepared British merchants served as they were by French-Canadian employees.[528] In the Southwest the competition between those of English speech with the French and Spaniards was to be prolonged till the close of the century, but the same early rush of traders from the colonies took place here as in the region of the Great Lakes and such crowds pushed their way into the most distant lying Indian villages that they disturbed, as has been seen, the peace of the frontier.

In the central valley of the Mississippi the phenomenon was equally conspicuous. In anticipation of the peace with the Indians, the Pennsylvania merchants transported their wares by packhorses and wagons to Pittsburgh, and in 1766 on the spring flood the boats of the trading house of Baynton, Wharton, and Morgan floated down the Ohio en route to the Illinois country.

[528] *Johnson Manuscripts*, vol. xv, 157. See also Nevins (ed.), *Ponteach* [Caxton Club, *Publications*], 119.

This was their first convoy, but many were to follow, for these enterprising merchants had made elaborate preparations for the exploitation of their western trade. In time they invested over £30,000 in this enterprise and were employing over three hundred boatmen on the river, making it one of the most frequented routes to the West.[529]

The second convoy of boats sent down in the spring of 1766 by Baynton, Wharton, and Morgan was commanded by the junior partner, George Morgan, who was to become one of the most conspicuous figures in the history of the development of the West. On the trip he was accompanied by George Croghan, deputy and agent of Sir William Johnson, and by Captain Harry Gordon, who was sent by General Gage to report on the conditions and needs of the far western country. From now on, news of the encroachments on the fur trade by the French was plentiful. Morgan's correspondence with his partners was extensive and regular. Both George Croghan and Captain Gordon made full reports to their superiors, as did the commanding officers of the posts and the numerous Indian commissaries.[530] These all united in complaining of the French

[529] Baynton, Wharton, and Morgan to MacLeane, January 9, 1767, Alvord and Carter, *The new Régime* [Illinois *Historical Collections*, vol. xi], 475; the same to Irwin, September 21, 1766 in *idem*, 383.

[530] A copy of George Morgan's *Letter Book* is preserved in the Illinois State Historical Library, as are copies of his partners' letters, collected from many places, principally from the Historical Society of Pennsylvania. These with similar material and all the journals are being published in volumes of the Illinois *Historical Collections*. Gordon's *Journal* was first published in extract in 1778 in Pownall's *Topographical Description* and recently more fully by Mr. Hanna in his *Wilderness Trail* [vol. ii, 40]. Croghan's *Journal* has never been found. Morgan's *Journal* is in the form of letters to his wife; a journal of John Jennings who commanded the first fleet of the merchants has been published in the Pennsylvania *Magazine of History and Biography*, vol. xxxi, 145, and another by William Clarkson, also an employee of Baynton, Wharton, and Morgan in Schoolcraft's *Indian Tribes*, vol. iv,

traders from the western bank of the Mississippi. Gordon's description of the condition is typical of the others. When he reached Saint Louis, he thus wrote:

> At this place Mr. Le Clef [Laclede] the principal Indian trader resides, who takes so good measures, that the whole trade of the Missouri, that of the Mississippi northwards, and that of the nations near La Baye, Lake Michigan, and St. Josephs, by the Illinois River, is entirely brought to him. He appears to be sensible, clever, and has been very well educated; is very active, and will give us some trouble before we get the parts of this trade that belong to us out of his hands.[531]

George Morgan also found the situation harassing and on December 10, 1767, in writing to his partners, complained:

> An English trader cannot at present with the least security of his life vanture even to Post Vincent for want of a garrison there – to asscent [*sic*] the Mississippi or the Illinois Rivers with goods would be certain death, so great is the influence of the French in that part, by our not having a post at the mouth of the latter.
>
> The peltries which would be taken at those places alone wire [*sic*] proper measures fallen on, would pay a sufficient duty to support the garrisons, by which the nation would reap a double advantage, as our natural enemies would be deprived of the benefit of that trade and there by considerable numbers of English subjects would find profitable employment.[532]

The expectation of the Philadelphia merchants, a hope shared by the British ministry, of making the Ohio such a great artery of western trade that it would eclipse its rivals the Saint Lawrence and the Mississippi Rivers

265. Letters by Edward Cole, Indian commissioner in the Illinois, have been published by myself in the Illinois State Historical Society *Journal* (October, 1910), vol. iii, no. 3, p. 23. All the above journals have recently been printed by Alvord and Carter in *The new Régime* [Illinois *Historical Collections*, vol. xi].

531 — *Idem*, 300.

532 Morgan's *Letter-Book*.

failed of realization. The long land carriage to Pittsburgh was a decided disadvantage which was only partially offset by the better markets in the East. The freight by boats on the Ohio was relatively inexpensive, and early experience seemed to prove that it was possible to land goods in Illinois at attractive prices; but in the long run the supplies from New Orleans seem to have had the advantage.[533] The Philadelphia merchants found out also that it was impossible to bring their furs back by way of the Ohio, and were forced to ship these down the Mississippi, and they sometimes sold them in New Orleans, which was the natural market of the West. General Gage wrote Shelburne in December 1766:

> It is reported that the traders in West-Florida carry most of their skins to New Orleans, where they sell them at as good a price as is given in London. As I had before some intelligence of this, the officer commanding at Fort-Pitt had orders to watch the traders from Pensylvania who went down the Ohio in the spring to Fort Chartres; and to report the quantity of peltry they should bring up the Ohio in the autumn. He has just acquainted me that the traders do not return to his post, that they are gone down the Mississippi with all their furrs and skins

[533] Experience and estimates are not fully convincing because of the partiality of the informants. The first estimate was made by Lieutenant Fraser who was sent to the Illinois country in 1765 by Gage. He thought that the British merchants could sell their goods twenty-five per cent cheaper than the French from New Orleans. The cost of transportation from Philadelphia to Pittsburgh was not excessive. On March 21, 1766, Baynton, Wharton, and Morgan contracted with Edward Morton to carry goods to Fort Pitt for forty shillings per hundred weight and to bring back peltries at twenty shillings per hundred weight. He was to keep twenty wagons ready for this purpose. See Manuscript in Division of Public Records, Harrisburg, Pennsylvania, printed in Alvord and Carter, *The new Régime* [Illinois *Historical Collections*, vol. xi], 192. By 1769 General Gage was convinced that French goods sold thirty per cent cheaper than English in the Illinois country and that peltries received twenty-five per cent more at New Orleans than in the eastern cities. See Gage to Hillsborough in Public Record Office, *Colonial Office Papers*, 5.87, p. 143.

under pretense of embarking them at New Orleans for England.[534]

The events thus briefly outlined had an influence, when reports reached London, on the views of the politicians; but the opinion of the highest imperial official in America, the general-in-chief of the military forces, had the added weight of his prestige and dignity. During the period of his command, General Gage was frequently asked to give the ministers his advice on western problems; and from his numerous communications his views, constantly changing as fuller and more correct information arrived, may be learned. His advice, however, did not always correspond with the news which was sent from the frontier, for Gage did not possess a strong character, was constantly playing the game of politics, and, like most of the public men of his generation and of others, adjusted his views to the wishes of his changing superiors.

When the British armies occupied the West, the opinion was widely spread that the war had been fought mainly for the purpose of colonizing the region with men of English speech. It was well known that the men who had made the treaty of peace were virtually pledged to such a policy, and accordingly General Amherst distributed the troops in small garrisons with that end in view. A man of Gage's characteristics was not likely to run counter to purposes with such weighty indorsement and began immediately to busy himself with

[534] Alvord and Carter, *The new Régime* [Illinois *Historical Collections*, vol. xi], 462. See also Gage to Shelburne, February 22, 1767, in *idem*, 506 ff. Gage seems to have been firmly convinced that this practice was usual; but when General Haldimand sent an officer to New Orleans to investigate, he reported that the English merchants were carrying on a perfectly legitimate trade in agricultural products, and that he found no evidence of their ever having traded in furs. Captain Marsh to Haldimand, November 20, 1767, in British Museum, *Additional Manuscripts*, 21728, p. 190.

similar plans. It was not until considerably later that he became an opponent – though never a bold one – to western expansion.

The problem of the defense of the new acquisitions was the first which appealed to the mind of the general. Amherst's distribution of the forces had entailed a large expense on the department and in the crucial test of the Pontiac War had completely failed to maintain peace. Here, then, was a military problem of the first moment. Gage's opinion after consultation with Colonel Bouquet and others was that the best means to defend the West would be to erect military settlements. A pamphlet on the subject was prepared by William Smith of Philadelphia with the assistance of Ensign Hutchins and under the general supervision of Colonel Bouquet.[535] The author advocated the establishment of settlements of soldiers whose families would in the course of time supply the defenders of the frontiers. To the general the plan appeared so simple and workable that he expected no opposition to it from the ministry; and in the treaty of peace with the Indians after their uprising, he exacted tracts of land around Niagara and Fort Pitt, where, he wrote Lord Halifax, he had determined to establish such military colonies.[536] As soon as he learned of the occupation of the Illinois country by his troops, he selected that region for another such settlement.[537] But the opinion in ministerial circles concerning the West was changing, and the Board of Trade, even un-

[535] *Historical Account of the Expedition . . . under Henry Bouquet*, etc. This was published at Philadelphia in 1765. The authorship of this pamphlet has been determined by Mr. Spofford, formerly of the Library of Congress.

[536] Gage to Halifax, April 14, 1764 in Alvord and Carter, *The Critical Period* [Illinois *Historical Collections*, vol. x], 240.

[537] Gage to Conway, March 28, 1766, in Alvord and Carter, *The new Régime* [Illinois *Historical Collections*, vol. xi], 197.

der a Chatham ministry, reported unfavorably on this project. General Haldimand, in 1767, while commanding in the South, made a similar proposal for the region of the lower Mississippi; but Gage had already become skeptical about the value of maintaining costly posts in the West and gave him no encouragement.[538]

Gage's attitude towards the lower Mississippi posts was dependent on the feasibility of utilizing the right to navigate the river which had been secured by the treaty of peace. The British had not been long in possession of the West before they discovered their mistake in not insisting upon the cession of New Orleans which guarded so securely the entrance to this great artery of trade and was the important market towards which the commerce of the valley drifted. It was soon perceived that some means of direct approach to the river must be found that would not compel the British traders to pass through that stretch of river where the two banks were in the possession of a hostile nation; both trading interests and military necessity demanded this, since in case of war the Spaniards could easily close the Mississippi against any force. Gage gave his attention to this problem and decided to open a water route via the Iberville River and the lakes to Mobile. Work was pushed on this channel for several years, but in the end all hope of making it practicable was abandoned.[539]

In the preceding chapter there was quoted at length a letter in which Lord Shelburne expounded his ideas

[538] Gage to Haldimand, September 6, 1767 in British Museum, *Additional Manuscripts*, 21663, p. 112. Haldimand to Gage, June 17, 1767 in *idem*, 85.

[539] These details are to be found in the correspondence of General Gage with the home government and with the various officers in the South. See particularly letters in *Haldimand Papers*, in British Museum, *Additional Manuscripts*, 21622 and 21633. In 1766, Captain Gordon, in charge of the engineering work in the West, declared "The free Navigation of the Mississippi a joke." – Hanna, *Wilderness Trail*, vol. ii, 53.

in regard to the future of the West and requested General Gage's opinion upon them. The latter answered on February 22, 1767, and his letter is the best source of the general's contemporary views concerning the transmontane region. By this time he had received considerable information from various sources but in particular a full report from Captain Gordon, who had been sent throughout the West on a tour of inspection.[540] He summed up his wisdom as follows:

> That trade will go with the stream, is a maxim found to be true, from all accounts that have been received of the Indian trade carried on in the vast tract of country, which lies on the back of the British colonies; and that the peltry acquired there, is carried to the sea either by the River Saint Lawrence, or River Mississippi, as the trade is situated on the lakes, inland river and streams, whose waters communicate respectively with those two immense rivers. The part which goes down the St. Lawrence we may reckon will be transported to Great Britian, but I apprehend what goes down the Mississippi will never enter British ports; and I imagine that nothing but a prospect of a superior profit or force, will turn the channel of the trade contrary to the above maxim.[541]

Starting, therefore, with this maxim he concluded that the only practicable method to offset the difficulties was to make a display of force by the erection of forts at the mouths of the Ohio and Illinois Rivers. This might prevent furs being carried down the Mississippi and Spanish traders from encroaching on British territory. A fort on Lake Pontchartrain would serve the same purpose in West Florida. Gage himself was, however, very skeptical of the efficiency of such forts, since traders and Indians could pass them by night with

[540] Gordon's report is printed in extenso in Alvord and Carter, *The new Régime* [Illinois *Historical Collections*, vol. xi], 290 ff.

[541] The whole letter which is extremely interesting is printed in *idem*, 506.

great ease. After expounding these more general thoughts, the general's letter turned to the question of the management of the Indians. He expressed great satisfaction with the superintendents and their commissaries in governing these unruly natives, but he had reached the conclusion that the policy of limiting the trade to posts was wrong since these could not be multiplied sufficiently to meet the demands of the numerous Indian tribes. Regulations, he asserted, were very necessary to control the wanderings of the traders who should be compelled to bring back the peltry to the colony from which they received their license. With the exception of the feature of the posts he approved of the plan as it had been outlined by the Board of Trade and was actually inaugurated by the superintendents. He closed, however, with a suggestion of an entirely different system, namely, that of the French, who had divided the country into districts wherein the exclusive trading privileges were sold to merchants or companies for an annual rent paid to the crown.[542]

Besides seeking information from his correspondents in America, Lord Shelburne examined carefully the archives of the Board of Trade and of his own department and in both places discovered many communications of interest. On the plan for the organization of Indian affairs were found many criticisms which had been written at the request of Lord Hillsborough by a large number of persons familiar with western America. These Lord Shelburne supplemented by submitting the document to others, and he also sent out Lord Barrington's plan for similar criticism. Many of these papers

[542] He had changed his opinion on this point, for in his report on Canada in 1762, he distinctly disapproved of this method. See Shortt and Doughty, *Constitutional Documents*, 70.

have been preserved, and from them it is possible to discover the prevailing opinion in administrative circles about the organization of the West.[543]

It would be monotonous to analyze the discussions presented in all these documents, though taken separately they are illuminating. The majority of the writers gave a general approval of the plan of the Board of Trade and limited their objections to particular points. Thus Benjamin Franklin thought that it would be a mistake to repeal the colonial laws governing Indian trade, and he was very certain that it would be impracticable to establish a tariff of prices; but Sir William Johnson, whose recommendations formed the basis

[543] The following criticisms of the Board of Trade's plan have been found:

1. By Sir William Johnson, October 5, 1764, in Alvord and Carter, *The Critical Period* [Illinois *Historical Collections*, vol. x], 327.

2. By Lieutenant Governor Colden of New York, October 12, 1764, in New York *Colonial Documents*, vol. vii, 667.

3. By Colonel Bradstreet, December 4, 1764, in *idem*, 690.

4. By Governor Grant of East Florida, December 1, 1764, in *Lansdowne Manuscripts*, vol. lx.

5. By Benjamin Franklin, no date, but indorsed, "Written at the Request of Lord S." so that it must have been in 1766 or 1767, in Franklin, *Writings* (ed. Smyth), vol. iv, 467.

6. By Richard Jackson, no date but in October, 1766 in *Lansdowne Manuscripts*, vol. lvii, 64, printed in Alvord and Carter, *The new Régime* [Illinois *Historical Collections*, vol. xi], 422.

7. By unknown, no date, *Lansdowne Manuscripts*, vol. lvii.

8. By John Stuart, December 1, 1764 in Public Record Office, *Colonial Office Papers*, 323.19, p. 20.

Of the criticisms of Lord Barrington's plan, the following have been found:

1. By General Gage, no date, but 1766 or 1767, *Lansdowne Manuscripts*, vol. l, 49, printed in Alvord and Carter, *The new Régime* [Illinois Historical *Collections*, vol. xi], 243.

2. "Remarks on Lord Barrington's plan, No. 1," no name, no date, but probably by General Amherst, in 1766 or 1767 in *Lansdowne Manuscripts*, vol. l, 65.

3. By Captain B. Roche of the Twenty-seventh Regiment, February, 1767, *idem*, vol. lx.

4. By Richard Jackson in the same paper cited above.

of the plan, maintained the opposite opinion on both these points, as did Governor Grant of East Florida.

Lord Barrington's plan was not received so favorably. His radical and absurd recommendation to abandon the West did not receive the indorsement of any of the writers, although it was known that he had received the support of many influential politicians. General Gage, in his notes on the paper, revealed his usual timidity and his disinclination to offend a powerful nobleman in his few gentle remarks about the actual conditions which had been misunderstood by Lord Barrington. If the identification of the writer of "Remarks, No. 1." as General Amherst is correct, he can not be charged with similar timidity, for he stood squarely by the opposite opinion to that upheld by the noble lord. To his mind it was evident that the greatest benefit of the West to Great Britain could be obtained only by occupying the region immediately. In the matter of the forts, he held that they were important and necessary for the maintenance of peace with the Indians and for protecting the country against foreign foes.

One of these papers is of preëminent importance on account of its influence upon the mind of the secretary of state, whose characteristics put him in sympathy with the radical views of the writer. This paper was written by Richard Jackson, called by his friends "Omniscient" until Dr. Samuel Johnson changed the epithet to "all-knowing" because "omniscient is *verbum solemne* appropriated to the Supreme Being."[544] Jackson had been friendly with the faction of the court and was appointed secretary to George Grenville in 1763. At the time he was agent for Pennsylvania. He was a strenuous opponent of the Stamp Act; and, at the in-

[544] Quoted in Fitzmaurice, *Life of Shelburne*, vol. i, 224, *footnote*.

auguration of the Chatham ministry was one of the principal advisers of Lord Shelburne. His most intimate friend was Benjamin Franklin with whom he wrote in 1760 the famous pamphlet, *The Interests of Great Britain considered*, which has been described in another connection.[545] The two men appear to have been in substantial agreement on all colonial problems throughout their lives.

Jackson wrote, at the request of Lord Shelburne, a criticism of both the plan of the Board of Trade and that of Lord Barrington.[546] His fundamental thought was that of the physiocratic political philosophy: *Laissez faire, laissez aller.* Governmental control, particularly when exercised at a long distance, could result only in harm. The great American West offered infinite opportunities for trader and settler, both of whom would make the best use of them, provided they were given the utmost freedom compatible with good government. To place the power of regulating trade in the hands of governmental officials, even when these were men of the most honest character, would be a most dangerous experiment. The evils that resulted from freedom were infinitely to be preferred.

Starting with such a philosophical basis, Jackson could find very little to be recommended in either of the systems proposed. The plan of the Board of Trade he regarded as "in a great measure impracticable." He thought that it would be unwise to repeal all the colonial laws regulating the Indian trade. There have been evils in it, but, he wrote: "There are mischiefs irreparable from the situation and circumstances of

[545] See page 58.

[546] Printed by Alvord and Carter in *The new Régime* [Illinois *Historical Collections*, vol. xi], 422 ff.

countries, as well political as natural; perhaps these are as well provided for as the nature of the case will admit." Certainly there was no proof that the proposed regulations would prove to be efficient. The powers granted the Indian superintendents were certainly so great, that they could not escape the dangers of favoritism and corruption. The proposal to establish a tariff for the sale of goods, Jackson pronounced "little better than a solecism." He denied that he was insensible to the evils suffered by the Indians, but he wrote:

> I have long since learnt that though all evils are not incurable some are so, or at least are curable only by greater evils. I have long thought the Indians and Europeans will always necessarily incommode one another, until the former wear out which I believe they will certainly do within a compass of years abundantly shorter than is generally expected.

Jackson found himself entirely opposed to the plan of Lord Barrington. The general principle of abandoning the West he regarded as "surely ill-grounded." It would deprive Great Britain of a valuable trade and might be the occasion of the French again gaining the dominion of that region. He himself was in favor of the rapid settlement of the territory, and recommended a colony on the lower Mississippi and one in the Illinois country. He took great exception to Lord Barrington's arguments in regard to the uselessness of forts in the Indian country, though he, too, thought that there was no need of so many. Jackson's opinions on the West carried great weight, for, aside from his reputed knowledge on all subjects, his close relations with America and Americans had given him a very clear insight into conditions among the colonists.

Up to this point there has been considered the information received by the secretary of state at his own solicitation; but he also found numerous volunteers

anxious to impart their views to him. Among these were many members of one or other of the numerous land companies formed to exploit the West by settlement. They exercised great influence over Lord Shelburne, and his final program was partly based on their recommendations, though he seems to have hesitated long before incorporating in his policy the promotion of western colonies and did actually lay before the king and his colleagues an outline of his western plan without any mention of this most radical element.

As late as June 20, 1767, the secretary of state was interested only in the enforcement of the provisions of the proclamation of 1763, which prohibited all settlement west of the mountains. His reason was, no doubt, that the unlawful character of such settlements caused disturbances among the Indians and that, until legalized they should be stopped. He wrote to Sir William Johnson:

> The Settlements lately projected near the Ohio by persons from Maryland and Virginia, as appears by your last letter, and that of the 15th Jany to the Board of Trade, are so injurious to the Indians, so detrimental to the interests of His Majesty's provinces, and such an audacious defiance of his royal authority repeatedly signified both in proclamations, and instructions to his governors and superintendents, that they can by no means be permitted; and every attempt towards the making of them should be speedily checked, and the design effectually prevented.[547]

A consideration not mentioned by Lord Shelburne may have influenced him to send the above instructions. The settlers in the Ohio Valley looked to the eastern colonies for government and the perpetuation of that connection

[547] Shelburne to Johnson, June 20, 1767 in *Lansdowne Manuscripts*, vol. liii, 331. Attention should be called to the fact that one of the reasons for thinking that the Rockingham ministry was opposed to western settlement was based on a similar letter of instruction from Lord Dartmouth, but there were other reasons, given in that connection, which led me to draw that inference.

would make it only more difficult to assert the direct dominion of the empire over the territory west of the mountains, should it be determined to establish western boundaries for all existing provinces.[548]

From available information it appears that in the beginning of the summer of 1767, the secretary of state still held the question of future colonies under advisement. He was, however, surrounded by men who were not so patient and who awaited a decision in the matter with great anxiety. It has already been seen that many land schemes were initiated at the close of the war, but the reluctance of the Grenville-Bedford ministry to take action and the hostility of so many of the Old Whigs to western settlement had somewhat dampened the ardor of the speculators. Yet three projects were actually launched during the time of the latter ministry and were promoted most zealously after the Pittites were raised to power, since their well known imperialism, supported as it was by the desire of the king and his faction to justify the treaty of peace by the development of the West, gave hope of some progressive policy being inaugurated.

Strangely enough the Mississippi Company did not make its appearance again at this time, and there are no other indications of activity among the Virginians. Their inaction in a matter of such vital interest to their colonial dominion arouses the suspicion that the Chatham ministry was known to be hostile to that colony's

[548] Shelburne never considered the claims of the colonies to the West as valid. In 1782, when the treaty between the United States and Great Britain was being negotiated, he wrote to Oswald: "Independently of all the nonsense of charters, I mean when they talk of extending as far as the sun sets, the soil is, and has always been acknowledged to be the king's. For the good of America, whatever the government may be, new provinces must be erected on those back lands and down the Mississippi." – Fitzmaurice, *Life of Shelburne*, vol. ii, 194.

extensive claims to territory, but possibly these prominent Virginians of the Mississippi Company were of the opinion that their interests would be better promoted if they pressed the undoubted legal rights of the old Ohio Company and the claims of the soldiers who had served in the last war under the governor's promise of compensation in the shape of western lands. Colonel Mercer represented these interests in London and revived a petition of the former which he had failed to press upon the Rockingham administration.[549] The officers associated with Thomas Mant, who had presented their petition so unsuccessfully to the previous administration, might now expect favorable action because their advocate, Sir Jeffrey Amherst, was one of Lord Shelburne's favorite advisers in American affairs.

The lands for which the Mississippi Company had petitioned were also looked upon with longing by General Phineas Lyman of Connecticut, who represented the "Military Adventurers." These were colonial officers who had served in the late war and were now associated with the members of the former company of Samuel Hazard.[550] Lyman appeared in England about 1763, it is said,[551] but there are no direct evidences of his activities until Lord Shelburne became southern secretary in 1766. In several long memorials,[552] addressed to that official, Lyman proposed that measures should be adopted to erect in the course of years five or six

[549] This was considered by the Board of Trade on June 26, 1767, but no action was taken on it. See Public Record Office, *Colonial Office Papers*, 5.24.

[550] On Hazard's scheme see Alden, *New Governments*, 7, and also page 92.

[551] Dwight, *Travels in New England and New-York*, vol. i, 272; Mathews, *The Expansion of New England*, 126. On January 7, 1766, he wrote Dartmouth about the Stamp Act, see *Dartmouth Manuscripts*.

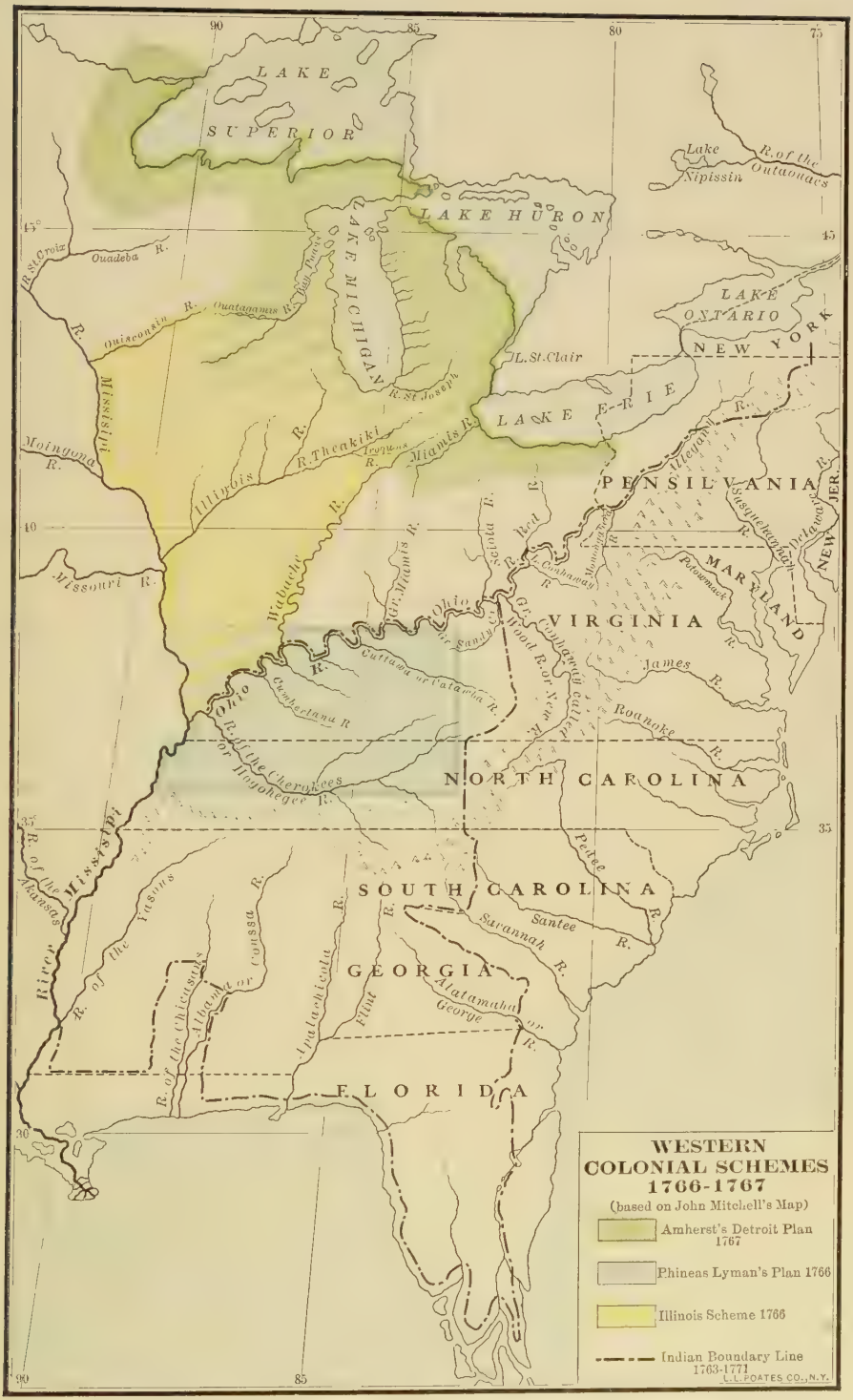
[552] *Lansdowne Manuscripts*, vol. 2, 127, 149, 157. Some of these are printed in Alvord and Carter, *The new Régime* [Illinois *Historical Collections*, vol. xi].

colonies along the Mississippi River from the falls of St. Anthony to the colony of West Florida. His general recommendation was that a governor be appointed to have oversight over all this territory, but his immediate proposal was limited to the establishment of one colony at the mouth of the Ohio River.[553] The general was ready on his own responsibility to gain the consent of the Indians to such an undertaking, and he promised to bring to the region ten thousand settlers in four years. He pointed out the great need of a government in that region to serve as a protection against the Spaniards, to keep the Indians quiet by offering opportunities to trade, and to make possible the exploitation of the fur trade by the Mississippi River, which he declared to be easily navigated. The estimated expense was five thousand pounds per year, but in the course of time such a colony would decrease the military expenses, since the settlers would be able to defend the far western boundary, and the quitrents would reach in a short time the sum of eighty thousand pounds per year, which could be used, after providing for the civil government, to promote religious education and thus to strengthen the bonds uniting the colony to the mother country.

This plan of Lyman's was in accord, except for an overlapping of boundaries, with one formed in Philadelphia that was destined to be the most favored and to exercise the greatest influence in London. In the discussion of a previous topic mention was made of the fact that George Croghan, while in England on business for Sir William Johnson, had become associated in some way with a plan for a colony in the Illinois country.[554]

[553] The extent of territory was to be one hundred miles north of the Ohio and a similar distance south; the eastward extent to be three hundred miles.

[554] See page 214.



WESTERN COLONIAL SCHEMES 1766-1767

(based on John Mitchell's Map)

- Amherst's Detroit Plan 1767
- Phineas Lyman's Plan 1766
- Illinois Scheme 1766
- Indian Boundary Line 1763-1777

L. L. POATES CO., N.Y.

After his return to America, in 1765, he was sent by Johnson to the West to assist in the pacification of the western Indians. Although he did not actually reach the Illinois country, he was on the Wabash River and was able to learn something of the fertility of the surrounding region. In November of 1765 he returned and talked over the subject with Johnson and at that time there was probably conceived the plan which was later developed.[555] Johnson immediately prepared the minds of the British ministry for the acceptance of a colonial scheme in a letter to the Board of Trade in which he hinted at the possibility of British traders purchasing French land in the Illinois country and thus forming the nucleus of a colony.[556] General Gage was later approached. Although he refused to become a partner in the undertaking, the plan which was being formed naturally appealed to him, since he was at that very time turning over in his mind the question of the best means of protecting the frontiers at the least expense and was recommending in a tentative way the erection of military colonies. His correspondence with Johnson on the subject had an immediate effect. On March 28, 1766, Gage advised that a military government be established in the Illinois country.[557]

Throughout the period of his superintendency of

[555] Croghan was undoubtedly the originator and Sir William Johnson gave him the credit. W. Franklin to B. Franklin, April 30, 1766 in Franklin, *Papers*, vol. ii, 17, printed in Alvord and Carter, *The new Régime* [Illinois *Historical Collections*, vol. xi], 221.

[556] New York *Colonial Documents*, vol. vii, 809.

[557] The best account of the scheme is in Carter, *Great Britain and the Illinois Country, 1763-1774*, chap. vi. For references, his pages may be consulted. The above account of the development differs somewhat in minor particulars. All the documents to which reference is made have been printed in Alvord and Carter, *The new Régime* [Illinois *Historical Collections*, vol. xi].

Indian affairs Johnson was closely associated with the Philadelphia firm of Baynton, Wharton, and Morgan which sent its young partner, George Morgan, to open up the trade in the Illinois country. Much of the financial business of the superintendent's office was conducted through the firm, and from the tone of his letters Johnson had a very kindly feeling for the merchants. In its trading venture to the West, Baynton, Wharton, and Morgan probably had other purposes than the mere purchase of furs. While Morgan was still busy making his preparations to go to Pittsburgh and embark on the Ohio, he and his seniors held a meeting with their friends, Joseph Galloway, John Hughes, Sir William Franklin, George Croghan, and others for the purpose of considering the future of the country into which the young man was to introduce British trade. Croghan disclosed what he had discussed with Johnson during the preceding November, and it was determined to form a company for the purpose of purchasing land from the Illinois French[558] in order to anticipate the formation of a colony that it was expected would soon be established by the British government. The expansion of this plan was due to the advice of Sir William Franklin, who proposed petitioning for the erection of a colony. This met with the approval of the company, and it was decided to petition for a grant of one million two hundred thousand acres or more within such a colony without, however, making any offer of purchase. Roughly speaking the colony was to include

[558] Croghan wrote to Johnson on March 30 that by letters from England favorable action on such a plan was to be expected. See *Johnson Manuscripts*, vol. xii, 127. John Baynton in a letter dated March 1 said the same. See Historical Society of Pennsylvania, *Ohio Company Papers*. It has been impossible to learn who these correspondents were and what their reasons were for expecting such action.

the territory lying between the Wisconsin and the Ohio, the Wabash and the Mississippi Rivers.[559]

To the original members of this company Sir William Johnson was added on account of his influence in matters of western policy; Benjamin Franklin, at the time in London, was also admitted and chosen as the company's representative in England; and permission was voted him to add the names of "such gentlemen of character and fortune in England" as he thought would be most likely to promote the undertaking.[560] The agent could not have been better selected, for the Rockingham ministry was drawing to its end and with the Chatham ministry came Lord Shelburne, the friend and admirer of the Philadelphia philosopher. Other considerations also made the path easy for this enterprise. The Chatham administration, unlike that of Lord Rockingham, was in favor of establishing royal governments in place of all the proprietaries in America; and, since the Pennsylvania members of this new land company belonged to the anti-proprietary party of Pennsylvania, whose interests Franklin was promoting, their representative naturally received very cordial treatment from the ministers.

Through the letters of Franklin to his son and others, it is possible to follow the negotiations by which Lord Shelburne was won over to the radical measure of disregarding all opposing interests and proposing a line of colonies extending from the Great Lakes to the Gulf of Mexico.[561] General Lyman joined his forces with

[559] See "Reasons for Establishing, etc." in Alvord and Carter, *The new Régime* [Illinois *Historical Collections*, vol. xi], 248 ff.

[560] W. Franklin to B. Franklin, April 30, 1766 in Franklin, *Papers*, vol. ii, 17, printed in *idem*.

[561] These letters have not all been preserved but extracts from them, found among the *Sir William Johnson Manuscripts*, have been printed in Franklin, *Works* (ed. Bigelow), vol. iv, 416 ff.

Franklin; and no doubt General Amherst was a party to the negotiations, though his name does not appear as a participant in the successive conferences. Franklin wrote on May 10, 1766, that he liked the project of a colony in the Illinois country and would forward it. Later he expressed regret that he had not been permitted to add more than two partners to the undertaking, for "by numbers" he wrote, "we might increase the weight of interest here. But perhaps we shall do without." To this proposal to increase the number of petitioners, Franklin's partners were agreeable, provided "a proportionate number of acres be added." [562]

In September the scheme was laid before Shelburne who had already read the plan and its recommendation by Johnson. His opinion was favorable but he said the project was not in accord with the opinion of certain of his colleagues. Franklin thought the reference was to Lord Hillsborough, the president of the Board of Trade, who feared Ireland might be depopulated. The other objections were the usual ones, the territory was too far inland for commerce and for government, etc. There was, however, one reason for opposition, unmentioned by Franklin. In 1764, the ministry had determined on the gradual expansion of the settlements westward and Lord Hillsborough was at that time in favor of such a policy; but the plans of these land companies looked to the opening up of territory in the far West, which was separated by hundreds of miles from the settled parts of the colonies and was situated in the midst of Indians known to be hostile to the English. The various objections were discussed at length; and although Lord Shelburne declared them to be of little

[562] Thomas Wharton to Franklin, November 11, 1766, Franklin, *Papers*, vol. ii, 52, printed in Alvord and Carter, *The new Régime* [Illinois *Historical Collections*, vol. xi], 431.

weight, he refused to commit himself. In a conference in October, the secretary of state went further and said he approved of the scheme but that every proposed expense for America would meet with many objections. The next month Richard Jackson added his influence and drew up the long paper on the plan of the Board of Trade and that of Lord Barrington, that has already been commented upon. In this the author wrote strongly in favor of western colonies and particularly of one in the Illinois country.[563]

No further progress was made during the winter and spring months, for reasons that will be sufficiently clear when the condition of the ministry during this period is remembered. In June, 1767, Lord Shelburne, who had by that time worked out the other details of his western policy, told Franklin again that he approved of the colony, but that the members of the Board of Trade raised many objections. It was at about this time that Shelburne was ordering the unauthorized settlers on the Ohio to be removed. The summer of 1767 was one of great political unrest, but towards the close of August, the secretary of state and Secretary Conway had a conference with Franklin and the latter's eloquent tongue persuaded both to adopt the plan of promoting western colonies.[564]

Lord Shelburne had in a little over a year collected an enormous amount of information from all quarters and was in a position to formulate and promote an American policy that would be based on a wider knowledge of conditions than had been possessed by any other minister save Lord Halifax; but, since his mind was more comprehensive and studious, he was able to form

[563] The paper is printed in Alvord and Carter, *The new Régime*, 428.

[564] B. Franklin to W. Franklin, August 28, 1767 in Franklin, *Works* (ed. Bigelow), vol. iv, 309; *Writings* (ed. Smyth), vol. v, 45.

a more statesmanlike plan than the latter. What his policy was, through what vicissitudes it passed and how it was endangered by the ill considered action of a colleague form a most interesting chapter in the history of America.

XII. LORD SHELBURNE'S WESTERN POLICY

Neither the actors nor the actions are great, and yet I could foresee great consequences, according as the scenes shall be shifted; but I think the whole more likely to subside into trifling and instability. We are nothing but factions, and those factions have very limited views. – HORACE WALPOLE.

The Chatham ministry, though composed of many discordant elements, had originally presented the appearance of great unity on account of the supremacy of one man, who had been vested with an almost unlimited authority from the king. In a moment of raillery Edmund Burke drew a caricature of the situation so delicate as to be almost a life sketch. He was speaking on the East India bill, and after pointing out the ill effects of so violent a measure, he said: "But perhaps this house is not the place where our reasons can be of any avail: the great person who is to determine on this question may be a being far above our view; one so immeasurably high, that the greatest abilities (pointing to Mr. Townshend), or the most amiable dispositions that are to be found in this house (pointing to Mr. Conway), may not gain access to him; a being before whom 'thrones, dominations, princedoms, virtues, powers (waving his hand all this time over the treasury-bench, which he sat behind), all veil their faces with their wings:' but though our arguments may not reach him probably our prayers may!" Burke then proceeded to offer up a prayer to the "Great Minister" above be-

seeching him who "rules and governs all to have mercy and not destroy the work of his own hands." [565]

Through Chatham's prolonged sickness such unity as existed broke down, the councils became divided, and the definitive acts of the government upon which the king and all progressive men had built such high hopes, were just the opposite of what had been expected. In the end the ministry became so disunited that, instead of inaugurating an era of reform, it marked the beginning of that long period of loosely jointed and inefficient administrations which continued until after the close of the American Revolution. The preceding ministries of George III. had possessed some coherence through the decisive leadership of a guiding committee resembling a cabinet, the members of which were on the whole able to agree on measures; but from now on each head of a department, becoming more and more independent, opposed any attempt on the part of his colleagues to interfere with, or to direct, his business. Lord North, under whom this system of divided responsibilities reached its culmination, told Charles Fox in 1782 when the latter urged that the king should not be his own minister: "If you mean there should not be a government by departments, I agree with you. I think it a very bad system. There should be one man, or a cabinet, to govern the whole and direct every measure. Government by departments was not brought in by me. I found it so and had not vigour and resolution to put an end to it." [566]

Unless this condition existing in the Chatham ministry is remembered, the occurrences of the winter and spring of 1767 will be misunderstood. Each member

[565] Quoted in Pitt, *Correspondence*, vol. ii, 145, *footnote*.

[566] Fox, *Memorials*, vol. ii, 37, quoted in Rose, *William Pitt*, 118.

of the so-called cabinet was a head of a department responsible solely to a prime minister lying on a sick-bed from which he might never rise. Such independence had different effects on the various members. In the case of the Duke of Grafton, nominal head, it seems to have increased his tendency to postpone all decisive action in the hope of pleasing all parties; the responsibility of making up his mind frightened General Conway and he wished to resign; to Charles Townshend, the sickness of his chief offered an opportunity to push those projects that would increase his own importance; meanwhile Lord Shelburne continued to follow the course upon which he and Chatham had agreed and was always looking forward to the time when his idol would be sufficiently recovered to return to the helm of state.[567]

Divided as the cabinet was, it was able generally to carry through Parliament the bills upon which the members could agree; but this was accomplished with very small majorities, particularly in the House of Lords.[568] The climax of weakness was reached when the Grenvilles, the Bedfords, the Rockinghams, and the Tories united to reduce the land tax from four to three shillings. This measure received the enthusiastic support of the country members and was carried in February, 1767, in opposition to the administration.[569] The loss to the revenue was very considerable; and, there-

[567] The best accounts of the weakened condition of the ministry are to be found in Grafton, *Autobiography*, and the letters of Grafton and Shelburne to Chatham in Pitt's *Correspondence*. On April 9, 1767, Lord Charlemont wrote: "The ministry is divided into as many parties as there are men in it: all complain of his [Chatham's] want of participation. Charles Townshend is at open war, Conway is angry, Lord Shelburne out of humour, and the Duke of Grafton by no means pleased." Quoted in *idem*, vol. iii, 241, *footnote*,

[568] — *Idem*, 258, 260.

[569] — *Idem*, 224; Albemarle, *Rockingham Memoirs*, vol. ii, 37 ff.; Walpole, *Memoirs of George III.*, vol. ii, 297; *Parliamentary History*, vol. xvi, 362; Walpole, *Letters*, vol. v, 37.

fore, the action gave force to the very popular idea, already discussed in Parliament, of cutting down the American expenses and of raising a revenue from the colonies.

During these winter months, the evils of the departmental system of government grew every day more apparent. The prime minister's representatives in the cabinet, Grafton and Shelburne, gave their cordial support to Alderman Beckford who had been placed in charge of the East India measure, which was regarded by its friends as the most important of those to be passed; but by some of their colleagues, particularly Townshend and Conway, this was opposed; and finally all efforts to reduce the company to submission ended in a compromise very favorable to that corporation and far removed from the purpose intended by Chatham.

It was, however, in the Colonial Department that the prime minister's plans were most completely thwarted and at last were so altered by a parliamentary act as to appear to be the reverse of his policy. This was due principally to the rashness, conceit, and instability of one man, Charles Townshend, the chancellor of the exchequer. His administration of the finances might influence colonial policies because there were imperial expenses to be met in the colonies; the civil officers in the new provinces had to be paid and the military establishment must be supported. During a debate on the army extraordinaries in the House of Commons, on January 26, 1767, George Grenville, whom Franklin called "almost insane" on the subject, moved that the whole support of the army in America be laid on the colonies. In the course of the debate, Townshend, who was charged with his inconsistency concerning the Stamp Act, endeavored to escape from an unanticipated dilem-

ma by declaring himself a firm believer in that measure and by ridiculing the American distinction between internal and external taxes. Finding that his words touched a responsive chord in the House, he boasted that he knew how to raise a revenue from America, which might not be adequate to meet expenses, but would be nearly sufficient, should these be properly reduced.[570] This statement was made without any consultation with his colleagues, who were in no wise prepared for his boast and disagreed with him entirely in such a colonial policy.

The heedless statement by Townshend had again raised the question of American taxation in Parliament, but it could no longer be discussed with that unanimity of opinion which had characterized the debate on the Stamp Act. Prejudices had now become firmly fixed in the minds of the leaders of the factions and armed hosts were already drawn up in battle array. In the debate which occurred in February there was displayed a comprehensive understanding of the issue and of the many ramifications of the colonial problem. The disposition of the West soon became, as might be expected, the point in hottest dispute and over Lord Barrington's plan of the total abandonment of the transmontane territory to the Indians the battle of arguments was waged. It was pointed out that as long as the empire garrisoned this region the transportation of supplies to distant posts was one of the largest items in the cost of maintaining

[570] The best accounts of this extraordinary act are Lord Shelburne's letter to Chatham, February 1, in Pitt, *Correspondence*, vol. iii, 184, and Lord Charlemont to Flood, January 29, in *idem*, 178. But see also Walpole, *Memoirs of George III.*, vol. ii, 299, 317; Grenville, *Papers*, vol. iv, 211; Grafton, *Autobiography*, 126; Fitzmaurice, *Life of Shelburne*, vol. i, 304; Cavendish, *Debates of the House of Commons*, vol. i, 391 ff., 483 ff.; the letters of William S. Johnson, in Massachusetts Historical Society, *Collections*, fifth ser., vol. ix, 214 ff.

the military establishment, and the debate came back again and again to the best method of cutting down this expense. Economy appeared to many the only solution; the abandonment of the West the only salvation. Finally George Grenville centered the discussion on this issue by moving that an address to the king "be presented to pray that the troops be withdrawn from the frontiers and forts to the internal part of the province." His legal mind had penetrated to the very heart of the problem – at least such was his opinion – and he asserted that if such an economy in the disposition of the troops was not practiced, then the colonies must be forced to bear some part of the imperial burden. Charles Townshend, who had probably never been in favor of western expansion, declared that he would support Grenville's principles to the utmost of his abilities, but for the most part "harangued most inimitably on both sides of the question." In his mild and hesitating way General Conway protested against the act of his colleague and ably defended the policy of the ministry. For a time it looked as if the Pittites would be outvoted on this purely western American question, but their salvation came through the indiscretion of their principal opponent, George Grenville. Tactless as usual, he made an ill timed attack on the former conduct of the Old Whigs, who were expecting to vote with the opposition, and forced them to maintain their self-respect by withdrawing from the House.[571]

This escapade of Charles Townshend, his loss of the one shilling in the land tax, and his opposition to the policy concerning India were sufficiently momentous to

[571] The best account is in Rouet to Mure, February 21, 1767, Caldwell *Papers* [Maitland Club *Publications*], part ii, vol. ii, 106. Another is in Flood to Charlemont, February 19, 1767, in Pitt, *Correspondence*, vol. iii, 210, *footnote* 2.

bring Lord Chatham from his sick-bed to the capital. The only possible escape from the perplexities of the ministry was the dismissal of the troublesome member and the selection of his successor. The king showed his disapproval of Townshend by readily consenting to this, and Lord North was invited to join the cabinet; but after a careful consideration of the situation, the latter refused. Since Lord Chatham was in too weakened a condition to undertake more, the ministers were compelled to get along as best they could with the irresponsible Townshend. Nobody save Chatham had the power to dismiss him.[572]

The failure to secure the services of Lord North became known to Townshend; and, seeing the opportunity to become the champion of popular measures, he brought up the subject of colonial taxation in a cabinet meeting on March 12, when he declared that he would resign if the cabinet did not reach some decision on the whole subject of the state of America so that he could lay before the House the opinion of administration on the maintenance of forts in the interior, on the concentration of the military force in the eastern towns, on laying the charges of the Indian trade on the provinces, and concerning a tax on imports.[573] The principles underlying Charles Townsend's policy as thus indicated were the same as those of Lord Barrington. He demanded the practical abandonment of the West, the concentration of the troops in the East, and the confinement of settlement to the east of the mountains.[574]

[572] Grafton, *Autobiography*, 122.

[573] See accounts by Grafton and Shelburne, March 13, in Pitt, *Correspondence*, vol. iii, 232, 233.

[574] It is worth noticing that those who favored the abandonment of the forts in the West were in favor of the confinement of the settlements to the east of the mountains and vice versa.

The issue thus unequivocally joined between the most conservative, even reactionary policy, and the more radical and progressive one advocated by Lord Shelburne, was portentous and fundamentally more far reaching in its many ramifications – certainly to contemporaries it must have appeared so – than the mere question of tax or no tax. To the members of the cabinet it meant the abandonment of the ideal of their absent chief and the absolute nullification of his plans. It is possible that not all his colleagues appreciated the full significance of this demand by Townshend; but to the southern secretary of state, the meaning was self-evident, the consequences unmistakable. There must also have swept across Shelburne's mind a feeling of resentment at this invasion of his province; Townshend's demand was an attempt by the head of one department of government to shape the policy of another, an effort on the part of a chancellor of the exchequer to use the budget as a club to force from a secretary of state his consent to an unacceptable imperial plan. The alternative proposed was a call to battle. What would the outcome be?

One of Lord Shelburne's greatest faults as an administrator was his deliberateness which resulted from his desire to gather the fullest knowledge attainable. He was continually waiting for more information or searching for a happier expression with which to clothe his thought.[575] Of rashness, such as this of Townshend's, he could never be accused; but now the act of his colleague caused him to gather together those parts of his policy which were already settled in order to defeat this ill considered proposal. From his letters to Gen-

[575] On this trait see "Knox Manuscripts," in Historical Manuscripts Commission, *Report on the Manuscripts in various Collections*, 283.

eral Gage and the governors in the previous fall, it is very clear that the salient features of his plan had already taken shape in his mind; and in his letter to the Earl of Chatham reciting Townshend's conduct in Parliament in January, the fundamental ideas can also be perceived.[576] It is probable that about this time he himself set down his thoughts on the two previous plans concerning the West which have been so frequently discussed.[577]

On the basis of the facts he had already obtained and the phases of the policy he had worked out, Lord Shelburne drafted his reasons for opposing Townshend's demand that the whole question of the reduction of American expenses and the raising of a revenue in the colonies be immediately discussed and determined in the cabinet, and read them to his colleagues on March 30.[578] He began by asserting: "There is no doubt but that the minister who could lessen the American expence, or who could establish an American fund adequate to such expence would do his country a very essential service." The whole burden of his argument was that the government must proceed with caution and wait for information which was expected to come from America. He reviewed the plans that had been proposed and the arguments that had been advanced for and against them, and concluded that the system in operation should not be lightly cast aside in order to inaugurate an ill digested measure. "The general who commanded at the time and who recommended the military system for

[576] Pitt, *Correspondence*, vol. iii, 185.

[577] *Lansdowne Manuscripts*, vol. lx, 62.

[578] — *Idem*, vol. lxxxv, 102 ff., printed in Alvord and Carter, *The new Régime* [Illinois *Historical Collections*, vol. xi], 536. I have been unable to find any evidence of a cabinet meeting on March 30, except that given in this paper, which asserts that such was the case.

America which has been adopted subsequent to the peace, as well as the minister who approved it, were both remarkable for their oeconomy. And so necessary a part of the national burthen did this minister think it that he chose rather to subject himself to all the inconveniencies which he could not avoid foreseeing must be the consequence of the fund which he attempted to establish for its support rather than avoid them by a diminution of the expence by a reduction of the establishment or by the abandoning of the frontier posts. This system has now been followed four years, and altho' it may admit of, or even require, many essential amendments yet that can never justify a rash or over hasty innovation." He attacked particularly the proposal to abandon the trade of the Mississippi, which he estimated as one-half of the Indian trade. The problem of how to conserve it was difficult, but time and information would show a way. His attitude towards Lord Hillsborough's plan for Indian affairs was very similar. It was not the best; in fact, he found "scarcely an article of it free from great inconveniences," still he was not in favor of an alteration until a better considered measure was produced, and this would require time to formulate.

Turning, then, to the question of the fund, he wrote that the required revenue might be expected in the course of time: "It's basis must be laid on proper regulations for the better management and receipt of the quitrents and the future grants of lands, on such aids as may be beneficial to the colonies, at the same time, that they lessen the burthen of the mother country, but chiefly on requisitions from the different provinces to be granted annually by their assemblies according to their respective abilities."

It is possible to picture in the imagination the scene enacted in this important cabinet meeting. The secretary of state, in all probability, read this paper with his usual smile and irritating courtesy. He had been careful to choose his language so that no offense would be taken even when he attacked the arguments of those with whom he disagreed. Around him sat his colleagues in unfriendly attitudes. There is no record of the discussion or of the vote on this portentous issue. Lord Shelburne could hardly have expected the most cordial hearing of his paper for at this moment, as at so many others during his public career, the distrust felt for him by his associates had undermined his influence and even neutralized his ablest arguments. Already was the Duke of Grafton prepared to play him false, and his former friends, Lords Northington and Camden, had become cold; in two months' time the king was to write Lord Chatham that he and these three lords suspected Shelburne of being a secret enemy; Charles Townshend must have listened to his opponent's words with a flippancy that showed itself in his whole bearing for he openly professed to hold the earl in the "greatest contempt." [579]

In the face of this unfriendliness the triumph of Lord Shelburne was all the more remarkable; the ministry accepted his progressive program. Townshend had arrogantly demanded that the cabinet adopt the plan for the abandonment of the West, proposed by Lord Barrington, and had publicly announced that he would resign before he would introduce the budget without the cabinet's acceptance of such reduction of the

[579] The king to Chatham, May 30, 1767, Pitt, *Correspondence*, vol. iii, 260. See also Fitzmaurice, *Life of Shelburne*, vol. i, 321. Grafton kept Shelburne in ignorance of the negotiations during the summer as also of the plan to divide his department, which was later carried out.

American expenses as would be thus brought about. He did not resign, nor did he announce the adoption of this plan of reducing the colonial expenses. The most that he could do was to inform the House of Commons that the subject "was actually under consideration, and that before the approaching winter, some plan should take place which should lessen the burthen to Great Britain."[580] The bill imposing his notorious taxes, which he did propose and which was "too lightly adopted . . . before it had been well weighed"[581] by Parliament, aroused the spirit of antagonism in the colonies and acted as an irritant until independence was declared.[582] Still in the spring of 1767 the future consequences could scarcely have been foreseen, and the question of imposing such futile taxes, that could be later so easily repealed, must have appeared to Lord Shelburne as insignificant in the light of his greater victory. The passing of the Townshend taxes by a ministry mustered under the banner of the Earl of Chatham was absurd enough; but the enactment of Lord Barrington's plan for perpetuating a great Indian reservation in the heart of America would have been the complete repudiation of the Chatham platform. In the fight over the greater issue the Earl of Shelburne had won.

The experience of the ministers during the winter and spring had revealed the weakness of their system to all. The disagreements among the members were the talk of the street and had been heralded in many a debate within the halls of Parliament. The defeat on the land tax, the opposition of Conway and Townshend to the East India policy, the passage of the colonial taxes had

[580] This outcome was reported by Shelburne in a cabinet meeting on September 11, 1767. See *Lansdowne Manuscripts*, vol. I, 185.

[581] Walpole, *Memoirs of George III.*, vol. iii, 21.

[582] For an account of the passage of the Townshend taxes see *idem*, 21 ff.

given courage to an arrogant opposition; and the hope of victory had united such irreconcilables as the Grenvillites and the followers of Lord Rockingham, whose coalition was always the hope of the Bloomsbury Gang. On the other hand the situation in the cabinet had reached such an *impasse* that the leaders realized that some reinforcement to their ranks must be gained during the summer or the ministry itself must fall.

In order to make any move towards a reorganization the consent of the king, who was strongly in favor of maintaining his present ministry with Lord Chatham at its head, must be secured. This was won with difficulty, but finally George III. permitted the negotiations which were held during the summer.[583] He demanded, however, that an effort be made first of all to consult the prime minister. Upon an urgent request from his majesty Lord Chatham consented to receive the Duke of Grafton who, in a two-hour conference, explained the critical situation. Chatham was convinced that there was need of including one of the factions in opposition within the ministerial ranks; and, in agreement with his opinion of the previous autumn, he expressed his preference for the Bedfords.[584] Although

[583] We are remarkably well instructed on the course of these negotiations since we have the letters which passed daily among the members of the various factions and accounts of the several conferences written by different hands; yet the motives underlying the actions of the various parties are difficult to disentangle. For the ministry there are the Grafton, *Autobiography*; Walpole, *Letters*; Walpole, *Memoirs of George III.*; Fitzmaurice, *Life of Shelburne*; Pitt, *Correspondence*. For the Rockinghams, there are Albemarle's *Rockingham Memoirs*; Burke, *Correspondence*; Newcastle, *Narrative* [Camden Society, *Publication*, new ser., vol. lix]; Harris, *Life of Hardwicke*. For the Bedfords, there is only the Bedford, *Correspondence*; but many letters from that faction are to be found in the following collections for the Grenville faction: Grenville, *Papers*; Lyttelton, *Memoirs and Correspondence*; Almon, *Anecdotes of Pitt*. This last was drawn largely from information furnished by Lord Temple.

[584] An account of this important conference may be found in Grafton, *Autobiography*, 136-139.

this advice did not accord with the opinion of George III., who favored the choice of the Old Whigs,[585] Chatham's expressed wish was of greater weight; and the Duke of Grafton was instructed to learn the demands of the Bedfordites. In a confidential conversation with Lord Gower, it became evident that the Bloomsbury Gang were convinced that the critical condition of the ministry must sooner or later force the monarch to seek their aid and that they were unwilling to place any limit on their rapaciousness. They not only exhibited their greed for office but showed their continued hostility to the Earl of Bute whom they now, as in 1765, wished to drive from his imagined position of influence.

The first attempt to gain reinforcements having failed, it was decided to approach the other wing of the opposition. The Marquis of Rockingham was perfectly willing to form a new administration on a "broad bottom;" but during the past winter events had cemented the alliance of his faction and the Bedfordites, and the marquis, who had a keen sense of honor, demanded permission to consult with his friends. Thus the negotiation was broadened out so as to include not only the Bedfordites but their close adherents, the Grenvillites; and the three strong factions which had in coalition so recently almost overwhelmed the ministry seemed on the point of achieving a greater triumph. Although the old issue of the Stamp Act reared its head like a mountain that might prevent any movement from one side to the other, the camps of these factions were not so far apart on other issues that a union was impossible. Two of them, at least, inherited from a long past the traditions of the supremacy of the Whig fami-

[585] Grafton, *Autobiography*, 139. The king still clung to a decided dislike to the Bedfords and was particularly fearful of their close connection with the Grenvilles.

lies in Parliament and the subjection of the monarch to the will of these noble connections. They were all three bitterly opposed to the court faction and the supposed influence of the Earl of Bute. The idealistic political philosophy of Bolingbroke was unacceptable to them, except the Grenvillites who were still unweaned from their youthful enthusiasm; but they had now all learned to talk his language and had seized upon the practical idea of a "broad bottom ministry" as politically workable under their system. On the fight against special privileges, such as those enjoyed by the East India Company, they had all three united in opposition to protect what they called the rights of private property. On the problem of western America they were now in harmony and could join hands on the program so boldly advocated by Charles Townshend, whom all three factions were ready to retain in office.[586]

According to the best information the king and his advisers were not wholly disingenuous in giving an opportunity to their opponents to enter into negotiations with one another.[587] Their coalition was threatening to bring back the conditions of the first two Georges, when the great Whig families were established in absolute authority. Such a reversion was dreaded not only by the place hunters of the court but also by the liberal-minded men of the ministry, since, unless an end of the coalition was made, the former would lose their sinecures and the latter would see their hopes of reform crushed. It was good politics, therefore, to permit the

[586] In one of their conferences, "Rigby said, not one of the present cabinet should be saved. Dowdeswell asked, 'what! not one?' 'No.' 'What! not Charles Townshend?' 'Oh!' said Rigby, 'that is different; besides he has been in opposition.'" – Walpole, *Memoirs of George III.*, vol. iii, 59; Grenville, *Papers*, vol. iv, 89. See also *idem*, 104, where the account is somewhat different.

[587] Grafton, *Autobiography*, 143 ff.

factions in opposition to fight over policies and places, until their union was proved even to themselves to be impracticable. The menace of the Old Whig domination would then be dead.

This maneuver of the administration proved very successful. At a conference on July 20 between the Rockinghams and the Bedfords, the latter representing the Grenville interests, a letter from Lord Temple and George Grenville was read in which they declared that they would give their support to the ministry to be formed, provided there was a declaration "to assert and establish the sovereignty of Great Britain over America." The followers of Rockingham took exception to the words, but at this conference and at a second one held the next day it appeared that this point at issue might be adjusted.[588] Then they began to discuss the vital question, the distribution of places. All had agreed that the Marquis of Rockingham should be the first lord of the treasury; but when he announced that he must have Conway as a leader of the House of Commons, the Bedfordites who had selected that position for Grenville protested. The leader of the Commons was the most influential officer within the government, because through him was exercised the important patronage and political jobbery of the administration. It was asking much of the Bloomsbury Gang that such a position be yielded to the Rockinghams but to demand that it be given to their particular enemy, General Conway, whom they had once dismissed from office, could mean only the end of all negotiations. This it effected.

[588] The Rockinghams believed that the Duke of Bedford practically gave up the declaration and was ready to stand on their platform. See Newcastle, *Narrative* [Camden Society, *Publications*, new ser., vol. lix], 142; Grenville, *Papers*, vol. iv, 81, *footnote*; Bedford, *Correspondence*, vol. iii, 383, 385.

Both sides refused to submit, and the conference closed as had been expected. The impracticability of forming the proposed coalition was proved.

After the failure of the opposition to reach any agreement, one more attempt was made by the Duke of Grafton to bring the Rockinghams to his assistance, but he met with no success. This final refusal of the Old Whigs was responsible for a loss of prestige and a partial disintegration, for their stubbornness aroused the anger of the king against them and caused the later desertion of many of their own adherents who preferred to join other alliances offering greater opportunities of employment.[589] They suffered also in popularity, since people argued thus: the faction of the Old Whigs had been offered an opportunity to enter into a coalition either with the Bedfordites and the Grenvillites or with the Pittites and the court faction; and they had refused to join with either group. Their action could have only one interpretation; their talk of a "broad bottom ministry" was mere words; they were evidently unwilling to enter a ministry in which they did not wield all the power; they desired a return to the government by Old Whig connections, a revival of the "Venetian party." This appeared to be the height of arrogance in a faction which at this time had become one of the weakest in Parliament.[590]

[589] The Duke of Newcastle and his followers were far from pleased at the result of the negotiations. See Newcastle to Rockingham, July 25, 1767, in Newcastle, *Narrative* [Camden Society, *Publications*, new ser., vol. lix], 161. In a very illuminating letter of October 4, the Duke of Richmond placed his views before the Marquis of Rockingham: "If the support of Lord Bute's friends, which you would have, if you joined the present ministers, frightens you, I suppose you mean never to come in, but when you have them in opposition to you. If so, I would ask your Lordship if you think you can ever come in but by force?"—Albemarle, *Rockingham Memoirs*, vol. ii, 62.

[590] Grenville's "Diary," in Grenville, *Papers*, vol. iv, 219. The whole passage is worth quoting: "Mr. Grenville held much the same language to

After the failure of these negotiations the king had no choice but to continue in power the Chatham ministry; but some coherence in it was secured by conferring on the reluctant Duke of Grafton the leadership until Lord Chatham should be able to resume his duties. At this point in his *Autobiography*, Grafton wrote:

> A much greater degree of responsibility you see directly devolved on my shoulders; and you will consider this hour, as having opened a fresh aera in my life. I hope I am not too presuming in thinking, if the same disposition for moderate councils had been pursued by my successor, that this country would readily have settled all its disputes with our colonies; have released America from the fetters of their old charters, and in conjunction with them bid defiance to all our enemies.[591]

One important change in the cabinet was caused in September by the death of the erratic Charles Townshend. His successor was Lord North, who was in two years and half to begin his career as chief minister. It was, however, with practically the same colleagues that the Duke of Grafton prepared to meet another session of Parliament; but before that time came, a very important decision had been reached in regard to western America. The southern secretary had completed the work of gathering the information and had made his report to the king and the cabinet. The important problem of what should be done with the new acquisitions seemed about to be solved.

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him as he had done to Lord Mansfield upon the idea of an extensive plan free from exclusions, saying, that if the Duke of Bedford and his party, Lord Temple, himself, and their party, could have the temper to say and mean this, it was still more the interest of the Rockinghams to do so, who were inferior in number, and far less congenial with those who were called the King's friends, and Lord Bute's party, than they were." Notice the distinction between the "King's friends," and "Lord Bute's party." The Old Whigs were not well united at this time. The whole family of the Yorkes was ready to desert them. See *idem*, 224.

[591] Grafton, *Autobiography*, 155.

Disraeli in one of his best novels, *Sybil*, devotes several pages to a sketch of Lord Shelburne, whom he calls "the ablest and most accomplished minister of the eighteenth century."[592] The basis for any such claim for Shelburne must find a justification in his formulation of policies which it was given not to him, but to others, to carry into effect, for with the exception of the treaty of peace with the United States when his knowledge of conditions and his humanitarian principles influenced him to draw the present boundary lines, there is no great political measure associated with his name. He was, however, the first to advocate reforms of many evils in the political and social life of his people, and he lived to see some of these placed on the statute books by his most famous pupil, the younger Pitt; but others were so far in advance of contemporary opinion that they were to be found acceptable only after the lapse of many years when enlightenment on social subjects had become more widely diffused.[593] A worse fate than postponement was meted out to Shelburne's American policy. It was still-born. For that reason there is no means of judging its worth, although one may indulge in unprofitable speculation about what its final consequences would have been, had it been inaugurated. Still, after considering the policy from every possible angle, there comes to one the feeling that in view of the breadth of vision and of the philosophical principles shown in it, Lord Shelburne's western American policy must be judged, with some limitations, a wise, conciliatory, and statesmanlike measure.

In the course of the previous discussion there has crept in some indications of the character of the policy;

592 This sketch and quotation are in chapter iii.

593 See Fitzmaurice, *Life of Shelburne*, vol. ii, 300.

but, even with the danger of repetition, it is necessary at this time to examine more carefully the final results of the secretary's methodical garnering of information and opinions. The situation precipitated by Charles Townshend in March had caused him to collect the many lines of his investigation and to reach some tentative conclusion on them. The date when he had finally so rounded out his thoughts on American affairs that they might be presented as a definitive policy is known. On June 11, 1767, Lord Northington sent a confidential letter to the Duke of Grafton, wherein there is mention of a meeting with Lord Shelburne at court. He wrote that the latter began "a long account of the state of Am[eric]a his having got to the mastery of it, and yesterday rec[eive]d gen[era]l directions thereon from the K[ing]."[594]

It was an unfortunate time to present such an important subject, for the king and the ministry realized their weakness, and, as has been seen, began in the next month negotiations with the opposition in the hope of increasing their parliamentary strength. So far out of agreement was Lord Shelburne with his colleagues that he was not taken into their confidence.[595] Still he must have known the general character of the negotiations sufficiently well to realize that no careful consideration of his plan could very well be undertaken until something definite had been determined. At any rate he did not press the subject until September. Meanwhile he renewed his conversations with Benjamin Franklin and was finally persuaded to incorporate in his recommendation a scheme for colonies;[596] and when the ministe-

[594] Grafton, *Autobiography*, 175.

[595] Fitzmaurice, *Life of Shelburne*, vol. i, 328.

[596] B. Franklin to his son, August 28, 1767, in Franklin, *Works* (ed. Bigelow), vol. iv, 309.

rial situation was settled by the consent of the Duke of Grafton to become the responsible head, Lord Shelburne was prepared to lay before his colleagues a well rounded policy for the West.

The paper which the southern secretary read to his colleagues on September 11, 1767, has fortunately been preserved.[597] Two fundamental principles underlie the policy which he outlined. The first was that it is impossible to prevent the working of natural law, and the second that such regulations as must be made for the proper conduct of trade can best be passed upon by those familiar with conditions. Under the first principle must be classified his objections to Lord Hillsborough's plan which "tends by a variety of minute regulations to restrain commerce (which can scarcely admit of any regulations which do not naturally follow from itself) and to bind people from their tempers and habits of living the least disposed to submit to any regulation whatever." The same principle is perceived in his discussion of western colonization. The proposal to limit settlements to the east of the mountains seemed to Lord Shelburne "founded on a contracted policy amounting to little less than an attempt to set limits to the encrease of our people and the extension of our do-

[597] The paper is entitled: "Minutes submitted to the cabinet in the beginning of summer 1767 – relative to the system of Indian traffick." – *Lansdowne Manuscripts*, vol. I, 185. The given date offers a somewhat baffling problem. The paper contains a recommendation for the establishment of western colonies, a resolution which Franklin says Lord Shelburne reached after the middle of August. Franklin, *Works* (ed. Bigelow), vol. iv, 309. Later, in November, Shelburne told Franklin that he had drawn up a paper justifying such colonies. See *idem*, 332. The reference was evidently to this paper. There are two explanations possible. The indorsement on this paper may be a mistake or else Shelburne did not permit Franklin, in August, to learn how far he had already gone in the matter of western colonies. If the indorsement is a mistake, it probably arose from the fact that there was a similar paper, without the recommendation concerning colonies, that was read to the cabinet in the beginning of summer.

minions, besides that, it is impracticable to prevent along such a frontier, the taking possession of unoccupied lands and resisting a general inclination of settlement by means of any force whatever." The supplement of this principle, namely that natural forces can be harnessed and guided towards desired ends was equally well understood by Lord Shelburne; and he argued that the opening of the West to colonization would draw off the surplus population of the eastern settlements and thus postpone the time when the inhabitants there would turn to manufacture and finally win both economic and political independence.

The second principle, that of local autonomy in trade regulations, is perceived in his opposition to the proposed plan of abrogating all colonial laws concerning the Indian trade and of imposing imperial regulations. He objected to this because "Many of those laws are the result of long experience, made by the people on the spot interested in their consequences, some of them are also particularly fitted to the condition and situation of the several colonies; and although they may not have been absolutely effectual in removing many evils complained of, yet it does not follow that those evils are in their nature remediable, or that any plan formed here and to be executed by officers who carry on a distant correspondence would do better; to repeal therefore those laws without distinction appears a measure highly dangerous and unadvisable."

Taking his stand upon reason he made certain very definite recommendations which would lead to a reduction of American expenses and to the future creation of a fund sufficient to meet all colonial demands upon the treasury. First of all he proposed that the whole Indian establishment, with its superintendents, deputies,

and commissaries, be abolished and that the colonies take charge of Indian affairs which, he pointed out, had passed only since 1755 into the hands of the imperial officers. In the second place he advised that there be formed two new colonies, one in the Illinois country and the other at Detroit. These would serve many purposes: they would furnish supplies to the troops in the frontier forts at a reasonable price; would be attractive to settlers from the old colonies; in the course of time they would render interior forts unnecessary, since the Indians would either become domestic or move away; and most important of all, "The quit rents would in a few years, not only defray the expence but form a fund for other purposes, especially if the grants of lands were put under proper checks." The last recommendation concerned the forts and the army. According to it, eight interior forts were to be maintained.[598] These could be garrisoned by four battalions, thus leaving the other eleven of the American contingent to be disposed of as seemed best.

The policy thus outlined shows unmistakably signs of the influence of Benjamin Franklin and Richard Jackson; and, judging from the expression of its thought, it was based very largely on the paper of the latter.[599] In his treatment of the future of the Indian tribes he adopted the ideas of Jackson and may seem to be heartless. Certainly in his eagerness to satisfy the demands of the Americans for land and to prevent by western expansion the development of manufactures in

[598] These were at Crown Point, Frontenac, Mackinac, Niagara, Pittsburgh, Illinois River, Natchez, and the River Iberville. In my transcription, the name of the Illinois River is omitted, and the fort is referred to later as near the Missouri. Shelburne, who was not strong in geography, meant undoubtedly the Illinois as Gage had recommended.

[599] See a story about its authorship in Franklin, *Works* (ed. Bigelow), vol. iv, 332.

the colonies he had shut his eyes to one half of the western problem which he was attempting to solve. His plan would most generously supply the needs of the growing frontier population, but it failed to provide protection for the Indians. From the character of his policy it is evident that Shelburne was not a sentimentalist and therein perhaps lies his limitation, but it is equally evident that like a prophet he had caught a vision of the inexorable march of the white men across the American continent. In smaller matters he was, however, very thoughtful of the natives' welfare and very just in his dealings with them. When he first became secretary, he was shocked to find that it was the universal custom in America to stir up the tribes to fight among themselves; and he ordered that such practices be stopped and efforts be made to conciliate the Indians by justice and kindness, which is "a system as much superior in sound policy, as it is in humanity, to that of spiriting up one tribe to cut the throats of another." [600]

One point requires further discussion before leaving this paper. Exactly what were Lord Shelburne's intentions in regard to the reform of the sale of land by which he expected to secure a revenue for the support of the imperial establishment? Unfortunately the information concerning this phase of his policy is not clear since his own expressions on the subject are merely oratorical generalities; nor does a study of the colonial schemes which he favored make it possible to decide what method he had in mind. The Illinois company represented by Franklin was composed of a number of shareholders who petitioned to receive one million two hundred thousand acres, free of quitrent, in return for

[600] This thought is found in many of his early letters to America. The passage is quoted from a letter to Stuart, December 11, 1766, in *Lansdowne Manuscripts*, vol. liii, 295.

which they would at their own "expence, settle thereon at least one white Protestant person for every hundred acres."[601] The imperial government would be obliged to pay the salaries of the civil officers for a few years, until the colony was self-supporting. General Lyman's plan called for a settlement that should be directly under the crown and wherein "the grants of land be made under proper restrictions and limitations as to quantity and subject to a quit rent of one halfpenny per acre to commence in five years from the date of the grant." The whole tone of the paper, outlining this proposal would indicate the purpose of attracting men who desired small holdings.[602] The Detroit colony was planned by a number of American officers and the promoters were expecting to receive land grants, evidently free, provided they should settle at their own expense a certain number of families.[603]

Another piece of information which seems to be somewhat though not entirely irreconcilable with Shelburne's oft repeated statements that the sale of lands would be made productive of a large revenue, comes from a later period. In 1770 and the following years Samuel Wharton, Benjamin Franklin, and many others formed the Walpole Company and attempted to buy from the government a large tract of land in the upper Ohio Valley. They asserted that Shelburne who opposed their efforts was inconsistent since he had not demanded any payment for the land in the colonies he proposed in 1767, but offered the most liberal terms, namely, that to each of the hundred proprietors there

[601] Alvord and Carter, *The new Régime* [Illinois *Historical Collections*, vol. xi], 256.

[602] Plan proposed by Lyman in *Lansdowne Manuscripts*, vol. I, 157. This is printed in Alvord and Carter, *op cit.*, 260.

[603] See page 244.

was to be ceded twenty thousand acres of land free of quitrents for fifteen years and that at the expiration of this period they were to pay two shillings per hundred acres, which sum was to be used for the support of the government.[604] This information is uncorroborated by other testimony, but the positiveness of the statement and the fact that it was made in a printed pamphlet by men who had opportunities to know give it great weight. Unless it is correct, the discovery of how the southern secretary did intend to dispose of the land is impossible from the evidence at hand; and after surveying all the testimony, particularly that respecting the need of raising a revenue, and giving due allowance to the fact that Shelburne was ever slow in making up his mind, the probability is that the details were not worked out with any minuteness. The plan seemed to Shelburne feasible and the statement of his purposes was for the time being sufficient.

Shelburne was successful in persuading his colleagues to accept tentatively the results of his investigation and thought. Although there has been preserved no account of the discussion which must have followed the reading of this remarkable paper, the final action of the cabinet was satisfactory as appears from the following minute:

> Resolv'd that it be submitted to His Majesty as the opinion of the Lords present, that it be referr'd to the Board of Trade to consider the present state of the Indian trade, together with the expences attending the same, and how far they may safely and properly be reduc'd, likewise to report their opinion upon the utility of the forts at present subsisting, and the inconveniences or advantages arising from keeping the same still under His Majesty's troops or giving them into the hands of the provinces. The Lords are also of opinion if it's agreeable to His

[604] *Considerations on the Agreement with the Honourable Thomas Walpole*, 22.

> Majesty that it should also be referr'd to the Lords of Trade to consider the several applications made for new governments or settlements at the Detroit and the Illinois, and whether the establishment of such government or settlement will not in time render the greatest part of the present Indian expence unnecessary.[605]

The resolution was not drawn precisely in accordance with ideas propounded by Lord Shelburne. The clause concerning the maintenance of the forts by Great Britain "or giving them into the hands of the Provinces" would indicate that there were supporters in the cabinet of Lord Barrington's plan, which contained this recommendation.

In accordance with the above decision the southern secretary laid the whole subject before the Board of Trade on October 5, 1767.[606] His letter of transmission contained the same recommendations as those he made to his colleagues, so that it is unnecessary to summarize it. On the question of the best disposition of the forts in the interior, concerning which the cabinet was undecided, he made it perfectly clear that he was not in favor of their abandonment by the empire. There is, moreover, one change of interest. The letter recommended the erection of new colonies "on the Mississippi, the Ohio, and at Detroit," which seems to mean three separate colonies instead of the two proposed by Shelburne in his earlier paper. These three were undoubtedly: the one proposed by the American officers, which was to have its center at Detroit and whose extreme boundaries were to be marked by the headwaters of the rivers flowing into the Great Lakes;[607] the Phila-

[605] Indorsed: "Minute of Cabinet, Held at Genl. Conway's office, September 11, 1767" in *Lansdowne Manuscripts*, vol. I, 185.

[606] New York *Colonial Documents*, vol. vii, 981 ff.

[607] Observation by General Amherst, November, 1767, in *Lansdowne Manuscripts*, vol. I, 123.

delphia scheme, which was to extend from the Ohio River as far north as the Wisconsin River: and General Phineas Lyman's plan, which as originally outlined overlapped the Illinois colony.[608]

The plan thus launched by Lord Shelburne had to follow the regular course through the departments of government and must be, therefore, reported upon by the Board of Trade, before it could be referred to the Privy Council for final action. On its journey such a radical proposal was bound to meet with opposition from many quarters and its friends would be obliged to meet many arguments and to propitiate many individuals who were hostile or indifferent. Benjamin Franklin took upon himself the persuasion of the president of the Board of Trade, Lord Clare, who had succeeded Lord Hillsborough in the previous December. In his report of his conversation to Shelburne, Franklin wrote that Clare was favorably impressed with the idea of a colony at the mouth of the Ohio River as it "might be of use in securing the country" but that he did not approve of one at Detroit, and that the president thought the trade would be "of little consequence, if we had all the peltry to be purchased there," for he supposed New Orleans would get most of it anyway.[609] In order to create a public sentiment in favor of the recommendations, measures were also taken to obtain an indorsement of the projects from the London merchants who were summoned to appear before the Board of Trade.[610]

Lord Shelburne used his influence to win the Board

[608] These proposed colonies are traced on the map, page 317.

[609] To William Franklin, November 25, 1767, Franklin, *Works* (ed. Bigelow), vol. iv, 333.

[610] "The Advice of the North American Merchants to the Board of Trade, about Indian Trade, 30 Oct. 1767," in *Lansdowne Manuscripts*, vol. lxii, 205.

of Trade over to his side and was prepared even to discuss a compromise provided he could obtain a favorable report. During November, he had a conversation with one of the members, Jeremiah Dyson, a devoted supporter of the court faction, and wrote an account of it to Lord Clare. Evidently many members were in favor of turning over the management of the Indian trade to the colonies but objected to abolishing the office of superintendent of Indian affairs on account of "this having subsisted so many years." Lord Shelburne proposed, therefore, that there be made a division between the commercial and political relations with the Indians and that the superintendents be charged only with the latter.[611] With this alteration the principal duties of the office would be to make treaties and to inform the government about the needs of purchasing territory from the Indians to meet the requirements of the expanding settlements. In this way the king's rights as "Lord of the Soil" would be preserved, and there would be laid the foundation of a real and permanent revenue from the quitrents. On the other hand the colonies would make all the regulations for the government of the interior, should keep the peace there by their own militia and, should there be need, could call on the king's troops, for the expense of which they must themselves provide, as had been proposed in Lord Barrington's plan.

The time in which Lord Shelburne was to have power over the American colonies was fast drawing to a close and with a new secretary there was to begin a new era

[611] The paper is entitled: "The substance of what passed between Lord Shelburne and Mr. Dyson about the superintendents, given afterwards to Lord Clare." See *Lansdowne Manuscripts*, vol. I, 219. Besides this paper, there is a similar one called: "Notes by Lord Shelburne concerning the Superintendants in America." See *idem*, 227.

in the history of the western policy; but, before his retirement, and at the eleventh hour, he was able to inaugurate the second important positive act affecting the West. During all the correspondence between Lord Shelburne and the officials in America, the plan of establishing another Indian boundary line farther to the West than the mountains in accordance with the plan of 1763 had been mentioned only incidentally. In a general way the ministers knew that John Stuart, the southern superintendent for Indian affairs, had run such a boundary along the back of several of the southern colonies, and his act had received praise from them;[612] but the plan to establish such a line by agreement between the Indians and the empire as a matter of general policy seems to have been forgotten by every one connected with the home government. It was, therefore, somewhat of a surprise to Lord Shelburne when Benjamin Franklin forwarded to him letters from Joseph Galloway, Samuel Wharton, and George Croghan, written by collusion,[613] in which the danger of a

[612] Farrand, "The Indian Boundary Line," in *American Historical Review*, vol. x, 782-791; Alvord, "The British Ministry and the Treaty of Fort Stanwix," in Wisconsin Historical Society, *Proceedings*, 1908, pp. 165-183. A map of the line is published in both the above essays. For the correspondence of Sir William Johnson on the subject, see his letter to the Board of Trade, May 24, 1765, in Alvord and Carter, *The Critical Period* [Illinois *Historical Collections*, vol. x], 501; January 31, 1766, Alvord and Carter, *The new Régime* [Illinois *Historical Collections*, vol. xi], 150; June 28, 1766, New York *Colonial Documents*, vol. vii, 838. On the question of a boundary line see pages 170, 202.

[613] The following is from Croghan to Johnson, March 1, 1768: "After I parted your honor last fall after our return from the New England both I ingaged G. Franklin Gov. Penn Mr. Peters and Mr Gallaway and others to write to thire frends in England to use thire intrest with the ministrey to adopt the gineral boundry and send your honour orders to confirm and ratifye itt." – *Johnson Manuscripts*, vol. xvi, 29. There are two letters from Samuel Wharton on the subject, *Lansdowne Manuscripts*, vol. l, 105, 108. The assembly of Pennsylvania was also persuaded to adopt a resolution indorsing the plan. Assembly to Franklin and Jackson, January 19, 1768, in

new Indian war was depicted in the gloomiest colors and the government was urged, in order that the frontier might be spared the horrors of another Indian uprising, to run the boundary line, already promised by Johnson, between the Iroquois country and the colonies. The writers of the letters were all connected with that company of Indian traders who were seeking compensation for the losses they had suffered in 1763 at the outbreak of the Pontiac War and were now hoping to receive as indemnity from the tribes a grant of land that would fall to the east of the proposed limits.[614] Although Lord Shelburne had himself made in 1763 all arrangements for running such a line, the discussion of it in the letters sent by Franklin appeared to him to contain a new, not to say a novel, idea; and he immediately invited the Philadelphia philosopher to dine with him and discuss the whole subject. Search was immediately instituted for the letters of Sir William Johnson on the need of such a measure and after a long delay they were found.[615]

The danger of an Indian war seemed so threatening and the means of preventing it so reasonable and so in accordance with previous decisions that Lord Shelburne was easily persuaded to include this recommendation in his western policy. He also accepted Franklin's suggestion that the land to be thus purchased from the Indians should be paid for by the crown within the confines of royal colonies, but otherwise by the colonies themselves.[616] In accordance with this resolution, Lord

idem, vol. xv, 238. Proprietor Thomas Penn also used all his interest to promote it. See *Johnson Manuscripts*, vol. xx, 202.

[614] For account of this company of merchants see page 95. The company was afterwards called the Indiana Company. Benjamin Franklin was their representative in England.

[615] Franklin, *Writings* (ed. Smyth), vol. v, 67, 68, 113.

[616] — *Idem*, 67.

Shelburne brought the subject to the attention of the Lords of Trade, who on December 23, without entering into a discussion of other phases of the western policy, made a favorable report in which they connected this plan with their previous recommendations: "The complaints of the Indians on account of encroachments upon their lands, and the expediency of the establishing a boundary line between their country and the settlements of his Maj[es]ty's subjects have long been urged by the superintendent for Indian affairs, as a consideration of very great importance.

"It was this consideration which occasioned the provisional management in the proclamation of 1763, and induced this Board to propose, in the plan for the management of Indian affairs prepared in 1764, a boundary line being established by solemn compact with the Indians."[617] This recommendation was rapidly passed through the Privy Council and on January 5, 1768, Shelburne authorized Sir William Johnson to carry it out.[618]

The running of the Indian boundary line was to receive a final indorsement from another secretary, and the actual completion of the line was to be accomplished under his supervision; but Lord Shelburne sent the first order for the execution of this important plan which he himself had developed when he was president of the Board of Trade in 1763. This was the only part of his comprehensive policy that he, as an administrative officer, had any share in putting into operation; and this opening of the upper Ohio Valley to settlement was in no sense a new idea but rather the completion of his

[617] New York *Colonial Documents*, vol. vii, 1004. The letter from Shelburne to the Board has not been found.

[618] — *Idem*, vol. viii, 2.

own earlier thought and also that of the Grenville-Bedford ministry. Later events were to bring to the surface many perplexing problems in regard to the ownership and the development of this region; but at this time, as in 1763, there was no intention of forming a new colony there, at least such was not openly expressed. The letter of the Board of Trade to Lord Shelburne contained a statement of the purpose of the ministry: "Yet it does on the contrary, leave room . . . to the inhabitants of Virginia, to extend their settlements further to the westward than they have hitherto been able to do with any degree of safety."

The events which led to the withdrawal of the American colonies from the jurisdiction of the secretary of state for the Southern Department must now be narrated. It will be seen in the next chapter that the changes in administration that brought to an end Lord Shelburne's connection with colonial affairs were not due to any feeling of opposition to his administration or to the policy which he had developed. From the available information the weight of evidence favors the opinion that the other members of the cabinet were disposed to follow his leadership. When Charles Townshend had made a direct issue of the disposition of the Mississippi Valley by advocating the creation of a perpetual Indian reservation to the west of the mountains, Lord Shelburne had been able to win over his unfriendly colleagues to his better conceived plan, the essential features of which they later in the year indorsed. Considering the chaotic condition into which the ministry had fallen on account of the sickness of Lord Chatham, this was a triumph for the southern secretary. Had his chief and idol, Lord Chatham, been able to return to his duties the policy that had cost so much

time and thought to formulate would undoubtedly have been now inaugurated and every opportunity would have been afforded the British colonies to adjust for themselves those difficulties which the undisputed possession of the eastern half of the Mississippi Valley had made so momentous. This, however, was not granted by fate, and for the fifth time the development of the West as a problem in imperialism still unsolved was passed on to perplex men imbued with principles differing from those of their predecessors. Ellis and Amherst had made the first decision by distributing the troops in small companies throughout the valley, then had come Shelburne who carved out the new provinces and proposed the Indian boundary line, the Grenville-Bedford ministers had been responsible for the proclamation of 1763 and had evolved a centralized system of government, Lord Barrington had tried to cut down expenses by creating a perpetual Indian reservation, and Shelburne, acting on the opposite principle, had made plans for colonial control and rapid westward expansion. He was to be superseded in January of 1768, and Lord Hillsborough, assisted by the Bedfordites, was to pass upon his recommendations.